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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JIMMY GONZALES,)	Case No.: 1:11-cv-01997-AWI-MJS (PC)
)	
Plaintiff,)	ORDER REQUIRING PLAINTIFF TO FILE A
)	RESPONSE TO MOTION TO DISMISS
v.)	WITHIN THIRTY DAYS OF SERVICE
)	
HAROLD TATE,)	ECF No. 34
)	
Defendant.)	
)	
)	

Plaintiff Jimmy Gonzales (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. On July 29, 2013, Defendant Tate filed a motion to dismiss. (ECF No. 34.) Plaintiff has failed to respond. Local Rule 230(*l*).

Accordingly, it is HEREBY ORDERED that:

1. Plaintiff is required to file an opposition or notice of non-opposition to Defendant Tate’s motion within thirty (30) days from the date of service of this order; and
2. The failure to file a response to Defendant Tate’s motion will result in dismissal

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of this action, with prejudice, for failure to prosecute.

IT IS SO ORDERED.

Dated: October 4, 2013

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE