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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SHAWN PATRICK GREENBLATT,
Plaintiff,
v.
DR. I. PATEL, et al.,
Defendants.

Case No. 1:12-cv-00046-LJO-SKO (PC)
**ORDER REQUIRING PLAINTIFF TO FILE
OPPOSITION OR STATEMENT OF NON-
OPPOSITION TO MOTION FOR
SUMMARY JUDGMENT**
(Doc. 63)

Plaintiff Shawn Patrick Greenblatt, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on January 10, 2012. This action is proceeding against Defendants Brockington, Gringas, Lawson, and Ocampo (“Defendants”) for violating Plaintiff’s rights under the Eighth Amendment of the United States Constitution.

On May 9, 2014, Defendants filed a motion for summary judgment for failure to exhaust the administrative remedies.¹ 42 U.S.C. § 1997e(a); Fed. R. Civ. P. 56(a); *Albino v. Baca*, ___ F.3d ___, ___, No. 10-55702, 2014 WL 1317141 (9th Cir. Apr. 3, 2014) (en banc) (failure to exhaust should be raised in a summary judgment motion). Accordingly, it is **HEREBY ORDERED** that:

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¹ The motion was accompanied by the requisite contemporaneous notice of the requirements for opposing a motion for summary judgment. *Woods v. Carey*, 684 F.3d 934, 938-41 (9th Cir. 2012).

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1. Within **thirty (30) days** from the date of service of this order, Plaintiff shall file an opposition or a statement of non-opposition to the motion; and
2. **If Plaintiff fails to file an opposition or a statement of non-opposition, this action will be dismissed for failure to obey a court order and failure to prosecute.**

IT IS SO ORDERED.

Dated: May 12, 2014

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE