IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

FRESNO DIVISION

DAVID MADDOX, Plaintiff, **v.** **B. ORNELLAS,** Defendant.	1:13-cv-00171 BAM ORDER REQUIRING PLAINTIFF TO FILE OPPOSITION OR STATEMENT OF NON-OPPOSITION TO MOTION FOR SUMMARY JUDGMENT (ECF No. 45) **THIRTY (30) DAY DEADLINE**

Plaintiff David Maddox ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action currently proceeds on Plaintiff's complaint against Defendant B. Ornellas for deliberate indifference to serious medical needs in violation of the Eighth Amendment.

On May 19, 2016, Defendants filed a motion for summary judgment. Fed. R. Civ. P. 56. (ECF No. 28.) Plaintiff was provided with notice of the requirements for opposing a motion for summary judgment. Woods v. Carey, 684 F.3d 934 (9th Cir.2012); Rand v. Rowland, 154 F.3d 952, 957 (9th Cir.1988); Klingele v. Eikenberry, 849 F.2d 409, 411–12 (9th Cir.1988). (ECF No. 28, pp. 19-22.) Plaintiff's opposition was due within twenty-one (21) days of service of

Defendants' motion. More than thirty (30) days have passed since the motion for summary judgment was filed and served, but Plaintiff has not filed any opposition or statement of non-opposition to the motion. Nor has Plaintiff made any other communications with the Court.

Pursuant to Local Rule 230(l), Plaintiff is HEREBY ORDERED to file an opposition or a statement of non-opposition to Defendants' motion within thirty (30) days. **Plaintiff is warned that the failure to comply with this order may result in dismissal of this action, with prejudice, for failure to prosecute and failure to obey a court order.**

IT IS SO ORDERED.

Dated: **June 20, 2016**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE