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

THOMAS DANIEL HOVANSKI,  
Plaintiff,  
v.  
WALLACE,  
Defendant.

**Case No. 1:13-cv-00377-LJO-JLT (PC)**  
**ORDER REQUIRING PLAINTIFF TO FILE  
OPPOSITION OR STATEMENT OF NON-  
OPPOSITION TO DEFENDANT'S MOTION  
FOR SUMMARY JUDGMENT WITHIN  
TWENTY-ONE DAYS**  
**(Doc. 25)**

Plaintiff, Thomas D. Hovanski, is a state prisoner proceeding pro se and in forma pauperis in this civil rights action under 42 U.S.C. § 1983. Plaintiff is proceeding on the First Amended Complaint against Defendant Lauren Wallace for violation of Plaintiff's rights under the Fourteenth Amendment. (Docs. 10, 11.)

On May 2, 2014, Defendant filed a motion for summary judgment. (Doc. 25.) On May 7, 2014, a second informational order issued advising Plaintiff of the requirements to oppose a motion for summary judgment and directing Plaintiff to file an opposition or a statement of non-opposition within 21 days. (Doc. 26.) More than 21 days have passed and Plaintiff has not filed an opposition or a statement of non-opposition to the motion. Local Rule 230(l).

Accordingly, it is HEREBY ORDERED that:

1. Plaintiff shall file an opposition or a statement of non-opposition to the motion within **21 days** from the date of service of this order; and

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2. Plaintiff is warned that the failure to comply with this order will result in dismissal of this action, with prejudice, for failure to prosecute.

IT IS SO ORDERED.

Dated: June 11, 2014

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE