

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DURRELL A. PUCKETT,
Plaintiff,
v.
SGT. RONALD VOGEL, et al.,
Defendants.

Case No. 1:13-cv-00525-AWI-SKO (PC)
ORDER REQUIRING PLAINTIFF TO FILE OPPOSITION OR STATEMENT OF NON-OPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (Doc. 27)
TWENTY-ONE (21) DAY DEADLINE

Plaintiff Durrell A. Puckett, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on April 12, 2013. On April 8, 2016, Defendants filed a motion for judgment on the pleadings. (Doc. 97.) The Second Informational Order issued on April 12, 2016, notifying Plaintiff of the requirement to file an opposition or statement of non-opposition within 21 days of service of that order. (Doc. 102.) An unsuccessful settlement conference was held on May 5, 2016. (Docs. 103, 112.) Plaintiff has not filed an opposition or a statement of non-opposition to the motion despite lapse of the requisite time and must do so if he desires to pursue this action further. Local Rule 230(l).

Accordingly, it is HEREBY ORDERED that:

1. Plaintiff shall file an opposition or a statement of non-opposition to Defendants' motion for judgment on the pleadings within **twenty-one (21) days** from the date of service of this order; and

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

2. **Plaintiff is warned that the failure to comply with this order will result in recommendation that this action be dismissed, with prejudice, for his failure both to obey this Court's order and to prosecute this action.**

IT IS SO ORDERED.

Dated: June 1, 2016

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE