# UNITED STATES DISTRICT COURT 

EASTERN DISTRICT OF CALIFORNIA

WOOTEN,
Plaintiff,
v.

CALIFORNIA DEPT. OF CORRECTIONS, et al,

Defendants.

1:13-cv-00570-LJO-JLT (PC)
ORDER REQUIRING PLAINTIFF TO FILE OPPOSITION OR STATEMENT OF NONOPPOSITION TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT
(Doc. 27)
21-DAY DEADLINE

Plaintiff is a state prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff is proceeding on his claims in the Third Amended Complaint against Dr. R. Fredrickson for deliberate indifference to Plaintiff's serious medical needs in violation of the Eighth Amendment. (Docs. 17, 18.) On August 3, 2015, Defendant filed a motion for summary judgment which included notice to Plaintiff of the requirements to oppose the motion. (Doc. 27.) Further, on August 5, 2015, the Second Informational Order issued which notified Plaintiff of the requirements to adequately oppose a motion for summary judgment in detail and that his opposition was due within 21 days of service of Defendant's motion. (Doc. 29.) Plaintiff has not filed an opposition or a statement of non-opposition to the motion despite lapse of the requisite time. 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
2. Plaintiff is warned that the failure to comply with this order will result dismissal of this action, with prejudice, for failure to prosecute.

## IT IS SO ORDERED.

Dated: September 28, 2015
/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

