UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

TERRY K. PLEASANT,

Plaintiff,

v.

COUNTY OF MERCED, et al.,

Defendants.

Case No. 1:13-cv-00805-AWI-SKO (PC)

SECOND INFORMATIONAL ORDER - NOTICE AND WARNING OF REQUIREMENTS FOR OPPOSING DEFENDANTS' MOTION TO DISMISS

(Doc. 37)

21-DAY DEADLINE

Defendants have filed a motion to dismiss this action. Pursuant to *Woods v. Carey*, 684 F.3d 934 (9th Cir. 2012), cert denied --- U.S. ---, 135 S.Ct. 228 (2014), *Rand v. Rowland*, 154 F.3d 952 (9th Cir. 1998), and *Klingele v. Eikenberry*, 849 F.2d 409 (9th Cir. 1988), the Court hereby notifies Plaintiff of the rights and requirements for opposing the motion.

1. Unless otherwise ordered, all motions to dismiss shall be briefed in accordance with Local Rule 230(*l*).

2. Plaintiff is required to file an opposition or a statement of non-opposition to Defendants' motion to dismiss. Local Rule 230(*l*). **If Plaintiff fails to file an opposition or a statement of non-opposition to the motion, this action may be dismissed, with prejudice, for failure to prosecute.** Local Rule 230(*l*) requires the opposition, or statement of non-opposition be filed not more than 21 days after the date of service of the motion. *Id.* However, Plaintiff is granted 21 days from the service of this order to file his opposition or statement of non-opposition.

3. Failure to comply with the Federal Rules of Civil Procedure, or the Local Rules of the Eastern District of California may result in the imposition of sanctions including but not limited to dismissal of the action or entry of default.

4. **Failure to comply with this order will result in recommendation that this action be dismissed for Plaintiff's failure to comply with the Court's order and to prosecute this action.**

IT IS SO ORDERED.

Dated: **April 21, 2017**

/s/ *Sheila K. Oberto*
UNITED STATES MAGISTRATE JUDGE