## 1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 EASTERN DISTRICT OF CALIFORNIA 9 10 11 CLIFFORD SMITH. Case No.: 1:13-cv-00880-DAD-BAM (PC) 12 ORDER REQUIRING PLAINTIFF TO FILE Plaintiff, OPPOSITION OR STATEMENT OF NON-13 OPPOSITION TO MOTION FOR SUMMARY v. **JUDGMENT** 14 GREEN, et al., (ECF No. 24) 15 Defendants. THIRTY (30) DAY DEADLINE 16 17 18 19 20 21 in this civil rights action pursuant to 42 U.S.C. § 1983. This action currently proceeds on Plaintiff's first amended complaint against Defendants Green, Wilson and Rohrdanz for deliberate indifference 22 23

Plaintiff Clifford Smith ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis to serious medical needs in violation of the Eighth Amendment.

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On December 28, 2015, Defendants filed a combined motion for summary judgment. Fed. R. Civ. P. 56. (ECF No. 24.) 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. 24-7.) Plaintiff's opposition was due within twenty-one (21) days of service of Defendants' motion.

More than that time has passed, but Plaintiff has not filed opposition or statement of non-opposition to the motion. Plaintiff has also made no other communications with the Court. Pursuant to Local Rule 230(1), 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 will result in dismissal of this action, with prejudice, for failure to prosecute and failure to obey a court order. IT IS SO ORDERED. /s/ Barbara A. McAuliffe Dated: **February 26, 2016** UNITED STATES MAGISTRATE JUDGE