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2 **UNITED STATES DISTRICT COURT**

3 EASTERN DISTRICT OF CALIFORNIA

4
5 EUGENIO LUIS NOGUERAS,

6 Plaintiff,

7 v.

8 AUGUSTINA OJUKWU,

9 Defendant.

1:14-cv-00470-LJO-SKO (PC)

ORDER REQUIRING PLAINTIFF TO
FILE OPPOSITION OR STATEMENT OF
NON-OPPOSITION TO DEFENDANT'S
MOTION TO COMPEL DISCOVERY
RESPONSES

(Doc. 44)

TWENTY-ONE (21) DAY DEADLINE

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12 Plaintiff initiated this action based on conditions he experienced while incarcerated and is
13 proceeding *pro se* in a civil rights action pursuant to 42 U.S.C. § 1983. On January 14, 2016,
14 Defendant filed a motion to compel responses to interrogatories and to have the requests for
15 admissions deemed admitted. (Doc. 44.) To date, Plaintiff has not filed an opposition.

16 Plaintiff is given one last opportunity to file an opposition or a statement of non-
17 opposition to the motion within twenty-one days of the date of service of this order. Local Rule
18 230(l). Failure to do so will be viewed as a lack of prosecution of this action.

19 Accordingly, it is HEREBY ORDERED that:

20 1. Plaintiff shall file an opposition or a statement of non-opposition to Defendant's
21 motion to compel discovery responses within **twenty-one (21) days** from the date of service of
22 this order; and

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

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26 IT IS SO ORDERED.

27 Dated: March 8, 2016

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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