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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CHARLES W. WINDHAM,)	1:14-cv-01636-LJO-BAM (PC)
)	
Plaintiff,)	ORDER REQUIRING PLAINTIFF TO FILE
)	OPPOSITION OR STATEMENT OF NON-
v.)	OPPOSITION WITHIN TWENTY-ONE
)	DAYS
M. MARIN, et al.,)	
)	(ECF No. 49)
)	
Defendants.)	
)	

16 Plaintiff Charles W. Windham (“Plaintiff”) is a state prisoner proceeding pro se in this
17 civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff’s Eighth
18 Amendment claims of excessive force against Defendants M. Marin, D. Uribe, W. Rasley, J.
19 Contreras, A. Capano, R. Rubio, and Doe #1, and for deliberate indifference to serious medical
20 needs against Defendants C. Navarro, V. Morales, M. Marin, and S. Shiver.

21 On September 2, 2015, Defendants filed a combined motion for summary judgment or
22 partial summary judgment. Fed. R. Civ. P. 56. Plaintiff was provided with notice of the
23 requirements for opposing a motion for summary judgment. (ECF No. 49-7.) Plaintiff was
24 granted several extensions of time to file his opposition to Defendants’ motion. However, even
25 under the extended deadline, Plaintiff’s opposition was due on or before November 9, 2015. To
26 date, Plaintiff has not filed an opposition.

27 Pursuant to Local Rule 230(l), Plaintiff is **HEREBY ORDERED** to file an opposition or a
28 statement of non-opposition to Defendant’s motion within twenty-one (21) days. **Plaintiff is**

1 warned that the failure to comply with this order will result in dismissal of this action, with
2 prejudice, for failure to prosecute.

3
4 IT IS SO ORDERED.

5 Dated: November 25, 2015

6 /s/ Barbara A. McAuliffe
7 UNITED STATES MAGISTRATE JUDGE