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8 **UNITED STATES DISTRICT COURT**

9 EASTERN DISTRICT OF CALIFORNIA

10 ANGEL AVALOS,

11 Plaintiff,

12 v.

13 CARPENTER, et al.,

14 Defendants.

**Case No. 1:15-cv-00369-LJO-JLT (PC)**

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

**(Doc. 12)**

**21-DAY DEADLINE**

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17 Defendants have filed a motion to dismiss this action. Pursuant to *Woods v. Carey*, Nos.  
18 09-15548, 09-16113, 2012 WL 2626912 (9th Cir. Jul. 6, 2012), *Wyatt v. Terhune*, 315 F.3d 1108  
19 (9th Cir. 2003), *Rand v. Rowland*, 154 F.3d 952 (9th Cir. 1998), and *Klinge v. Eikenberry*, 849  
20 F.2d 409 (9th Cir. 1988), the Court hereby notifies Plaintiff of the following rights and  
21 requirements for opposing the motion:

22 1. Unless otherwise ordered, all motions to dismiss shall be briefed pursuant to Local  
23 Rule 230(l).

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

1 21 days from the service of this order to file his opposition or statement of non-opposition.

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

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6 IT IS SO ORDERED.

7 Dated: April 5, 2016

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE