1		
2		
2		
4		
5		
6		
7		
8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
10		
11	DANNY CRAIN,	No. 1:15-cv-00591-DAD-BAM
12	Plaintiff,	
13	V.	ORDER TO PLAINTIFF TO SHOW CAUSE
14	CITY OF ATWATER, ATWATER	WHY SANCTIONS SHOULD NOT ISSUE
15	POLICE DEPARTMENT, FRANK PIETRO, DAVID WALKER, and JOSE TORRES,	
16	Defendants.	
17		
18	On December 13, 2016, defendants filed a notice of motion and motion for summary	
19	judgment in this action, noticing the motion for hearing on January 17, 2017. (Doc. No. 33.) The	
20	opposing party to such a motion must file either an opposition or a statement of non-opposition to	
21	the motion no less than fourteen (14) days prior to the noticed hearing date. See Local Rule	
22	230(c). Plaintiff has filed neither.	
23	Therefore, plaintiff's counsel is ordered to show cause in writing by January 17, 2017, as	
24	to why sanctions should not be imposed due to his failure to file either an opposition or a	
25	statement of non-opposition to the pending motion for summary judgment. See Chambers v.	
26	NASCO, Inc., 501 U.S. 32, 42-46 (1991) (holding it is within the inherent authority of the courts	
27	to control their docket and require compliance with their orders). A hearing on this order to show	
28	cause regarding sanctions will be held on January 19, 2017 at 9:30 a.m. in Courtroom Five,	
		1

1	Robert E. Coyle Federal Building, 2500 Tulare St., Fresno, California before the	
2	undersigned. Counsel for the defendants, in particular, are encouraged to appear telephonically at	
3	the hearing on the order to show cause.	
4	At this time, the hearing on defendants' pending motion for summary judgment set for	
5	January 17, 2017 is vacated. Following the January 19, 2017 hearing on the order to show cause,	
6	the court will reset the hearing on defendants' motion for summary judgment if appropriate. See	
7	Local Rule 230(g).	
8	IT IS SO ORDERED.	
9	Dated: January 10, 2017 Dale A. Drod	
10	UNITED STATES DISTRICT JUDGE	
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28	2	