



1 Failure to follow a district court's local rules is a proper ground for dismissal. *U.S. v.*  
2 *Warren*, 601 F.2d 471, 474 (9th Cir. 1979). Thus, a Court may dismiss an action for a plaintiff's  
3 failure to oppose a motion to dismiss, where the applicable local rule determines that failure to  
4 oppose a motion will be deemed a waiver of opposition. *See Ghazali v. Moran*, 46 F.3d 52 (9th  
5 Cir. 1995), *cert. denied* 516 U.S. 838 (1995) (dismissal upheld even where plaintiff contends he  
6 did not receive motion to dismiss, where plaintiff had adequate notice, pursuant to Fed. R. Civ. P.  
7 5(b), and time to file opposition); *cf. Heinemann v. Satterberg*, 731 F.3d 914, 916 (9th Cir. 2013)  
8 (holding that a motion for summary judgment cannot be granted based on a failure to file  
9 opposition, regardless of any local rule to the contrary).

10 Accordingly, IT IS HEREBY ORDERED that:

- 11 1. Within twenty days from the date of service of this order, Plaintiff shall file an  
12 opposition or statement of non-opposition to the pending motions to dismiss; and
- 13 2. If Plaintiff fails to comply with this order, the Court will deem the failure to  
14 respond as a waiver of any opposition and may grant the motions to dismiss on  
15 that basis. Additionally, this case may be dismissed for failure to prosecute and  
16 failure to comply with a court order.

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18 IT IS SO ORDERED.

19 Dated: February 2, 2018

20 /s/ Eric P. Gray  
21 UNITED STATES MAGISTRATE JUDGE