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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CASEY LEE ROWLAND,
Plaintiff,
v.
JEFFREY A. BEARD, et al.,
Defendants.

Case No. 1:15-cv-01475-BAM (PC)
**ORDER REQUIRING PLAINTIFF TO FILE
OPPOSITION OR STATEMENT OF NON-
OPPOSITION TO MOTION FOR SUMMARY
JUDGMENT**
(ECF No. 18)
THIRTY (30) DAY DEADLINE

Plaintiff Casey Lee Rowland (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action under 42 U.S.C. § 1983. This action proceeds on Plaintiff’s first amended complaint for: (1) an Eighth Amendment claim against Defendants Vasquez, Leon, Llamas, and Pavich in their individual capacities arising out of allegations of sewage overflowing into Plaintiff’s cell and lack of cleaning supplies; (2) an Eighth Amendment claim against Defendant Leon in her individual capacity arising out of allegations that Defendant Leon labelled Plaintiff a snitch; (3) an Eighth Amendment claim for deliberate indifference to serious medical needs against Defendant Melo in his individual capacity; and (4) a First Amendment retaliation claim against Defendant Leon in her individual capacity. (ECF Nos. 13, 14.)

On March 28, 2017, Defendants Leon, Llamas, Melo, Pavich, and Vasquez filed a motion for summary judgment under Federal Rule of Civil Procedure 56 for failure to exhaust

1 administrative remedies. (ECF No. 18.) Plaintiff was provided with notice of the requirements
2 for opposing a motion for summary judgment. Woods v. Carey, 684 F.3d 934 (9th Cir. 2012);
3 Rand v. Rowland, 154 F.3d 952, 957 (9th Cir. 1988); Klinge v. Eikenberry, 849 F.2d 409, 411–
4 12 (9th Cir. 1988). (ECF No. 18-1.) Plaintiff’s opposition was due within twenty-one (21) days
5 of service of Defendant’s motion. More than thirty (30) days have passed, but Plaintiff has not
6 filed an opposition or statement of non-opposition to the motion. Plaintiff also has not otherwise
7 communicated with the Court.

8 Pursuant to Local Rule 230(1), Plaintiff is HEREBY ORDERED to file an opposition or a
9 statement of non-opposition to Defendant’s motion within **thirty (30) days**. **Plaintiff is warned**
10 **that the failure to comply with this order will result in dismissal of this action, with**
11 **prejudice, for failure to prosecute and failure to obey a court order.**

12
13 IT IS SO ORDERED.

14 Dated: May 2, 2017

/s/ Barbara A. McAuliffe
15 UNITED STATES MAGISTRATE JUDGE