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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

CEDRIC CHESTER JOHNSON,  
  
  Plaintiff,  
  
  v.  
  
NORTH KERN STATE PRISON, et al.,  
  
  Defendants.

Case No. 1:16-cv-01371-DAD-BAM (PC)  
  
**ORDER REQUIRING PLAINTIFF TO FILE  
OPPOSITION OR STATEMENT OF NON-  
OPPOSITION TO MOTION FOR SUMMARY  
JUDGMENT**  
  
(ECF No. 46)  
  
**TWENTY-ONE (21) DAY DEADLINE**

Plaintiff Cedric Chester Johnson (“Plaintiff”) is a former state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff’s first amended complaint against Defendants Speakman, Rocha, Jones, and Kennemer (collectively, “Defendants”) for deliberate indifference in violation of the Eighth Amendment.

On January 5, 2018, Defendants filed a motion for summary judgment. (ECF No. 43.) Plaintiff was provided with notice of the requirements for opposing a motion for summary judgment. Woods v. Carey, 684 F.3d 934 (9th Cir. 2012); Rand v. Rowland, 154 F.3d 952, 957 (9th Cir.1988); Klinge v. Eikenberry, 849 F.2d 409, 411–12 (9th Cir.1988). (ECF No. 43-1.)

On January 19, 2018, Plaintiff filed a motion for a sixty-day extension of time to respond to the motion, (ECF No. 46.) Plaintiff stated that he would be released from prison on January 21, 2018, and was seeking additional time to hire an attorney. (Id.) On January 22, 2018, the

1 Court granted the request, specifically warning Plaintiff that his failure to retain an attorney in  
2 time to file a timely response to Defendants' motion for summary judgment would not constitute  
3 good cause for a further extension of time. (ECF No. 48.)

4 Plaintiff's response to the motion for summary judgment was due on or before March 26,  
5 2018, and no response has been filed. Plaintiff has not otherwise communicated with the Court.

6 Pursuant to Local Rule 230(1), Plaintiff is HEREBY ORDERED to file an opposition or a  
7 statement of non-opposition to Defendant's motion within **twenty-one (21) days**. **Plaintiff is**  
8 **warned that the failure to comply with this order will result in dismissal of this action, with**  
9 **prejudice, for failure to prosecute and failure to obey a court order.**

10 IT IS SO ORDERED.

11 Dated: April 2, 2018

12 /s/ Barbara A. McAuliffe  
13 UNITED STATES MAGISTRATE JUDGE