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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

AARON JAMES PIERCE,
Plaintiff,
v.
DOCTOR BARON et al.,
Defendants.

No. 2:08-cv-1148 MCE DAD P

ORDER

Plaintiff is a state prisoner proceeding pro se with this civil rights action brought pursuant to 42 U.S.C. § 1983. On January 27, 2015, defendant Dr. Luca filed a motion to dismiss the claims brought against him by plaintiff based on the doctrine of res judicata. Upon review of the docket, it appears that plaintiff has never opposed that motion.

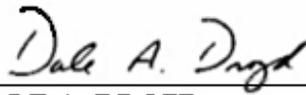
Local Rule 230(l) provides in part: “Failure of the responding party to file written opposition or to file a statement of no opposition may be deemed a waiver of any opposition to the granting of the motion” On September 10, 2014, the court advised plaintiff of the requirements for filing an opposition to the motion and that failure to oppose such a motion may be deemed a waiver of opposition to the motion.

Local Rule 110 provides that failure to comply with the Local Rules “may be grounds for imposition of any and all sanctions authorized by statute or Rule or within the inherent power of the Court.” In the order filed September 10, 2014, plaintiff was also advised that failure to

1 comply with the Local Rules may result in a recommendation that the action be dismissed.

2 Good cause appearing, IT IS HEREBY ORDERED that, within fourteen days of the date
3 of this order, plaintiff shall file an opposition, if any, to defendant Dr. Luca's motion to dismiss.
4 Failure to file an opposition will be deemed as a statement of non-opposition and may result in a
5 recommendation that plaintiff's action against defendant Luca be dismissed. Alternatively, if
6 plaintiff no longer wishes to pursue his claims against defendant Dr. Luca he may file a request to
7 voluntarily dismiss this defendant.

8 Dated: June 30, 2015

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DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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