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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

THOMAS JOHN HEILMAN,

Plaintiff,

No. CIV S-08-2788 FCD EFB P

vs.

VOJKUFKA,

Defendant.

ORDER

_____/

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. On October 28, 2010 and November 2, 2010, plaintiff filed motions to compel (Docket. Nos. 64 and 65), and on November 11, 2010, plaintiff filed a “Motion for a Court Order Directing the Marshals to Personally Obtain Subpoenaed Discovery” (Docket. No. 67).

Defendant has not filed any oppositions or statements of no opposition to these motions.

In cases in which one party is incarcerated and proceeding without counsel, motions ordinarily are submitted on the record without oral argument. E.D. Cal. R. 78-230(l). “Opposition, if any, to the granting of the motion shall be served and filed by the responding party not more than twenty-one (21) days after the date of service of the motion.” *Id.* “A responding party who has no opposition to the granting of the motion shall serve and file a statement to that effect, specifically designating the motion in question. Failure of the

1 responding party to file an opposition or to file a statement of no opposition may be deemed a
2 waiver of any opposition to the granting of the motion and may result in the imposition of
3 sanctions.” *Id.* Furthermore, a party’s failure to comply with any order or with the Local Rules
4 “may be grounds for imposition of any and all sanctions authorized by statute or Rule or within
5 the inherent power of the Court.” E.D. Cal. R. 11-110.

6 Accordingly, it is hereby ORDERED that, within 14 days of the date of this order,
7 defendant shall file either oppositions to the motions appearing at Docket Nos. 64, 65, and 67 or
8 statements of no opposition. Failure to comply with this order may be deemed a waiver of any
9 opposition to the granting of the motions and may further result in the imposition of sanctions.

10 DATED: December 15, 2010.

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12 EDMUND F. BRENNAN
13 UNITED STATES MAGISTRATE JUDGE
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