

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

BRENT ALLEN WINTERS, et al.,

Plaintiffs,

No. 2:09-cv-00522 JAM KJN PS

v.

DELORES JORDAN, et al.,

Defendants.

ORDER TO SHOW CAUSE

On July 6, 2010, defendant Dewey Harpainter filed a motion to dismiss plaintiffs' Third Amended Complaint with respect to the claims against him, and he noticed his motion for a hearing to take place on August 12, 2010. (Dkt. No. 130.) Plaintiffs were obligated to file and serve a written opposition or statement of non-opposition at least fourteen days prior to the noticed hearing date, which means such a submission was due on or before July 29, 2010. See E. Dist. Local Rule 230(c).¹ The court's docket reveals that plaintiffs failed to file a written opposition or statement of non-opposition with respect to Harpainter's motion.

Accordingly, IT IS HEREBY ORDERED that:

1. The hearing on defendant Dewey Harpainter's motion to dismiss , which is presently set for August 12, 2010, is continued until September 9, 2010.

¹ Local Rule 230(c) also provides that "[n]o party will be entitled to be heard in opposition to a motion at oral arguments if opposition to the motion has not been timely filed by that party."

