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

CHARLES HARRIS,

Plaintiff,

No. CIV S-09-1052 FCD DAD P

vs.

ORRICK,

Defendant.

ORDER

_____ /

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with a civil rights action filed pursuant to 42 U.S.C. § 1983. On July 15, 2010, defendant filed a motion for summary judgment pursuant to Federal Rule of Civil Procedure 56. Plaintiff has not opposed the 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 May 18, 2009, plaintiff was advised of the requirements for filing an opposition to a motion for summary judgment and that failure to oppose such a motion may be deemed a waiver of opposition to the motion.

In addition, 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

1 the inherent power of the Court.” By order filed May 15, 2009, the court advised plaintiff that
2 his failure to comply with the Local Rules will result in a recommendation that this action be
3 dismissed.

4 Good cause appearing, IT IS HEREBY ORDERED that, within thirty days of the
5 date of this order, plaintiff shall file his opposition, if any, to defendant’s July 15, 2010 motion
6 for summary judgment. Plaintiff’s failure to file an opposition will be deemed as a statement of
7 non-opposition and will result in a recommendation that this action be dismissed. See Fed. R.
8 Civ. P. 41(b).

9 DATED: August 25, 2010.

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12 _____
13 DALE A. DROZD
14 UNITED STATES MAGISTRATE JUDGE

13 DAD:sj
14 harr1052.46