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

TIMOTHY JONES,

Plaintiff,

No. CIV S-09-1208 DAD P

vs.

MICHAEL MARTEL, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On March 19, 2010, defendants filed a motion for summary judgment. Plaintiff has not filed an opposition to the motion.

Local Rule 230(l) provides in part: “Failure of the responding party to file an opposition or to file a statement of no opposition may be deemed a waiver of any opposition to the granting of the motion” On June 15, 2009, plaintiff was advised 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 by the Court of any and all sanctions authorized by statute or Rule or within the inherent power of the Court.” In the order filed June 15, 2009, plaintiff was advised

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

3 Good cause appearing, IT IS HEREBY ORDERED that, within thirty days of the
4 date of this order, plaintiff shall file his opposition, if any, to the defendants' motion for summary
5 judgment, filed on March 19, 2010. Failure to file an opposition will be deemed as a statement
6 of non-opposition and shall result in a recommendation that this action be dismissed pursuant to
7 Federal Rule of Civil Procedure 41(b).

8 DATED: May 3, 2010.

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

11 DAD:4
12 jone1208.noopp