

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

CHADERICK INGRAM,

Plaintiff,

No. CIV S-09-1712 KJM PS

VS.

COMMISSIONER OF SOCIAL SECURITY, et al.,

Defendants.

ORDER

This action was referred to the undersigned pursuant to Local Rule 72-302(c)(21).

17 Calendared for hearing on September 23, 2009 is defendants' motion to dismiss and/or summary
18 judgment. No opposition to the motion has been filed.

19 Local Rule 78-230(c) provides that opposition to the granting of a motion must be
20 filed fourteen days preceding the noticed hearing date. The Rule further provides that “[n]o party
21 will be entitled to be heard in opposition to a motion at oral arguments if written opposition to
22 the motion has not been timely filed by that party.” In addition, Local Rule 78-230(j) provides
23 that failure to appear may be deemed withdrawal of opposition to the motion or may result in
24 sanctions. Finally, Local Rule 11-110 provides that failure to comply with the Local Rules “may
25 be grounds for imposition of any and all sanctions authorized by statute or Rule or within the
26 inherent power of the Court.”

1 Good cause appearing, IT IS HEREBY ORDERED that:

2 1. The hearing date of September 23, 2009 is vacated. Hearing on defendants'
3 motion is continued to October 21, 2009 at 10:00 a.m. in courtroom no. 26.

4 2. Plaintiff shall file opposition, if any, to the motion no later than October 7,
5 2009. Failure to file opposition and appear at the hearing will be deemed as a statement of non-
6 opposition and shall result in a recommendation that this action be dismissed pursuant to Federal
7 Rule of Civil Procedure 41(b).

8 DATED: September 10, 2009.

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11 U.S. MAGISTRATE JUDGE
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