

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

AMMIEL CORNISH,

Plaintiff,

No. CIV S-10-0230 DAD P

vs.

OFFICER HARSHBARGER,

Defendant.

ORDER

_____ /

On March 7, 2012, defendant Harshbarger filed a motion for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure. Plaintiff has not opposed 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 and may result in the imposition of sanctions.” On June 6, 2011, 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 6, 2011, 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 an opposition to the motion for summary judgment and shall
5 show cause in writing why sanctions should not be imposed for the failure to file a timely
6 opposition. In the alternative, if plaintiff no longer wishes to proceed with this matter, he shall
7 file a request to dismiss this action without prejudice pursuant to Rule 41(a) of the Federal Rules
8 of Civil Procedure. Failure to respond to this order may result in a recommendation that this
9 action be dismissed.

10 DATED: April 16, 2012.

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

13 DAD:4
14 corn0230.noopp