

1 Pursuant to Local Rule 230(c), opposition to a motion must
2 be filed not less than fourteen (14) days prior to the date of
3 the hearing. The date of the hearing on motion was set for
4 January 13, 2011. Fourteen (14) days prior to the hearing was
5 December 31, 2010. Even accounting for the Court holiday, no
6 opposition was filed as required.

7 In light of the fact that no opposition was filed by
8 Plaintiff, Defendants' Motion to Dismiss¹ (ECF No. 18) is GRANTED
9 with leave to amend.

10 As a result of the failure to respond to this Motion, within
11 ten (10) days from the date this Memorandum and Order is
12 electronically filed, Plaintiff's counsel shall either
13 (1) personally pay sanctions in the amount of \$250.00 to the
14 Clerk of the Court², or (2) show good cause for the failure to
15 comply with Local Rule 230(c). Plaintiff may file an amended
16 complaint not later than twenty (20) days after the date this
17 Memorandum and Order is filed electronically.

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26 ¹ Because oral argument will not be of material assistance,
27 the Court orders this matter submitted on the briefs. E.D. Cal.
Local Rule 230(g).

28 ² The Court is authorized to impose sanctions for failure to
comply with the Local Rules. E.D. Cal. Local Rule 110.

1 If no amended complaint is filed within said twenty (20)-day
2 period, without further notice, Plaintiff's claims will be
3 dismissed without leave to amend.

4 IT IS SO ORDERED.

5 Dated: January 13, 2011



8 MORRISON C. ENGLAND, JR.
9 UNITED STATES DISTRICT JUDGE

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