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

10 JERRY W. BAKER,

11 Plaintiff,

No. 2:10-cv-1811 KJM KJN P

12 vs.

13 SOLANO COUNTY, et al.,

14 Defendants.

ORDER

15 _____/
16 Plaintiff is a former prisoner proceeding without counsel. On December 5, 2011,
17 defendants filed a motion for summary judgment. Plaintiff failed to timely file an opposition to
18 the motion, and on January 12, 2012, plaintiff was directed to file an opposition within thirty
19 days, and that failure to file an opposition would be deemed as consent to have the pending
20 motion granted. On May 11, 2012, the court addressed plaintiff's January 25, 2012 filing, and
21 granted plaintiff until June 11, 2012, in which to file an opposition. However, on May 25, 2012,
22 plaintiff's copy of the May 11, 2012 order was returned as undeliverable because plaintiff was no
23 longer in custody. On June 7, 2012, plaintiff filed a notice of change of address.

24 Despite the returned mail, plaintiff was properly served. It is the plaintiff's
25 responsibility to keep the court apprised of his current address at all times. Pursuant to Local
26 Rule 182(f), service of documents at the record address of the party is fully effective.

1 However, because it appears plaintiff was re-arrested shortly after the filing of the
2 motion for summary judgment, the court will re-serve the May 11, 2012 order, along with a copy
3 of the motion for summary judgment. Now that plaintiff is no longer in custody, the court will
4 grant plaintiff twenty-one days in which to file an opposition to the motion. L.R. 230(l). As
5 noted in this court's January 12, 2012 order, plaintiff is cautioned that failure to timely file an
6 opposition will be deemed as consent to have the: (a) pending motion granted; (b) action
7 dismissed for lack of prosecution; and (c) action dismissed based on plaintiff's failure to comply
8 with these rules and a court order. Such failure shall result in a recommendation that this action
9 be dismissed pursuant to Federal Rule of Civil Procedure 41(b).


10 As a litigant proceeding without counsel, plaintiff is responsible to diligently
11 prosecute this action, which includes maintaining appropriate case records, timely filing changes
12 of address, and timely meeting court deadlines. No further extensions of time will be granted.

13 Accordingly, IT IS HEREBY ORDERED that:

14 1. The Clerk of the Court is directed to send plaintiff a copy of the May 11, 2012
15 order (dkt. no. 57) and defendants' December 5, 2011 motion for summary judgment (dkt. no.
16 52); and

17 2. On or before July 3, 2012, plaintiff shall file an opposition to defendants'
18 motion for summary judgment that complies with the Federal Rules of Civil Procedure and the
19 Local Rules of the Eastern District. No further extensions of time will be granted.

20 DATED: June 12, 2012

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23 KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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