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

CELSO COSTELO,

Plaintiff,

No. CIV 2:10-cv-2049-KJM-JFM (PS)

vs.

PRO30 FUNDING, *et al.*,

Defendants.

ORDER

_____ /

On January 24, 2011, defendant Mortgage Electronic Registration Systems, Inc., filed a motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6). On January 27, 2011, defendant Placer Title Company also filed a motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6). Both hearings were continued to April 28, 2011 due to plaintiff’s failure to file an opposition to either motion. Plaintiff has again failed to file an opposition to either motion.

Local Rule 230(1) provides in part: “Failure of the responding party to file written opposition or to file a statement of no opposition may be deemed a waiver of any opposition to the granting of the motion” On March 16, 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.

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1 Local Rule 110 provides that failure to comply with the Local Rules “may be
2 grounds for imposition of any and all sanctions authorized by statute or Rule or within the
3 inherent power of the Court.” In the order filed March 16, 2011, plaintiff was advised that
4 failure to comply with the Local Rules may result in a recommendation that the action be
5 dismissed.

6 Good cause appearing, IT IS HEREBY ORDERED that:

7 1. The hearing on defendants’ motions currently set for April 28, 2011 is hereby
8 continued to June 23, 2011 at 11:00 a.m. in courtroom #26; and

9 2. Within thirty days of the date of this order, plaintiff shall file an opposition, if
10 any, to the motions to dismiss. Failure to file an opposition will be deemed as a statement of
11 non-opposition and shall result in a recommendation that this action be dismissed pursuant
12 Federal Rule of Civil Procedure 41(b).

13 DATED: April 21, 2011.

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16 UNITED STATES MAGISTRATE JUDGE

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