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

TERRY GIBSON,

Plaintiff,

No. CIV S-10-2404 EFB P

vs.

HAWKINS, et al.,

Defendants.

ORDER

_____/

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. This case is before the undersigned pursuant to the parties’ consent. *See* 28 U.S.C. § 636; *see also* E.D. Cal. Local Rules, Appx. A, at (k)(1)-(2).

On January 6, 2011, defendant Kelso filed a motion to dismiss. On May 17, 2011, the court ordered plaintiff to file an opposition or a statement of no opposition to defendant’s motion to dismiss within 30 days, and explained that failure to do so would constitute grounds for dismissal. *See* L. R. 230(l) (“A responding party’s failure ‘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 and may result in the imposition of sanctions.’”), L. R. 110 (“Failure to comply with any order or with the Local Rules ‘may be grounds for imposition of any and all sanctions authorized by statute or Rule or within the inherent power of the Court.’”). Plaintiff has not filed an

1 opposition or statement of no opposition.

2 Accordingly, it is hereby ORDERED that defendant Kelso is dismissed from this action
3 without prejudice.

4 Dated: July 12, 2011.


5 EDMUND F. BRENNAN
6 UNITED STATES MAGISTRATE JUDGE

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