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

ARIEL BALTHROPE,

Plaintiff,

No. 2:10-cv-3003-JAM-JFM (PS)

vs.

SACRAMENTO COUNTY OF
HEALTH AND HUMAN SERVICES,
et al.,

Defendants.

ORDER

_____ /
This action was referred to the undersigned pursuant to Local Rule 302(c)(21).
On July 14, 2011 and July 18, 2011, defendants filed a motion to dismiss pursuant to Fed. R.
Civ. P. 12(b)(1) and 12(b)(6). No opposition to the motions to dismiss has been filed.

Local Rule 230(c) provides that opposition to the granting of a motion must be
filed fourteen days preceding the noticed hearing date. The Rule further provides that “[n]o
party will be entitled to be heard in opposition to a motion at oral arguments if written opposition
to the motion has not been timely filed by that party.” In addition, Local Rule 230(i) provides
that failure to appear may be deemed withdrawal of opposition to the motion or may result in
sanctions. Finally, Local Rule 110 provides that failure to comply with the Local Rules “may be

1 grounds for imposition of any and all sanctions authorized by statute or Rule or within the
2 inherent power of the Court.”

3 Good cause appearing, IT IS HEREBY ORDERED that:

4 1. The hearing date of October 6, 2011 is vacated. Hearing on defendants’
5 motions to dismiss is continued to November 10, 2011 at 11:00 a.m. in courtroom no. 26.

6 2. Plaintiff shall file opposition, if any, to the motions to dismiss, no later than
7 October 27, 2011. Failure to file opposition and appear at the hearing will be deemed as a
8 statement of non-opposition and shall result in a recommendation that this action be dismissed
9 pursuant to Federal Rule of Civil Procedure 41(b).

10 DATED: September 29, 2011.

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13 UNITED STATES MAGISTRATE JUDGE

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