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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 BRUCE THORNS,

12 Plaintiff,

13 v.

14 S. SHANNON, et al.,

15 Defendants.
16

No. 2:11-cv-01826 MCE DAD P

ORDER

17 Plaintiff is state prisoner proceeding pro se and in forma pauperis in this civil rights action
18 filed pursuant to 42 U.S.C. § 1983.

19 On September 12, 104, defendants filed and served a motion for summary judgment,
20 pursuant to Federal Rule of Civil Procedure 56. (ECF No. 66.)

21 On October 6, 2014, plaintiff filed a motion for an extension of time to file his opposition.
22 (ECF No. 69.) On October 20, 2014, finding good cause, the court granted the requested
23 extension of time and gave plaintiff 45 days within which to file an opposition.

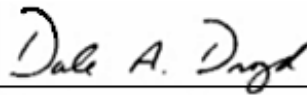
24 More than 45 days have passed, and plaintiff has not opposed the motion or otherwise
25 communicated with the court.

26 Pursuant to the Local Rules of this court, failure to timely respond to a motion may be
27 deemed a waiver of opposition. See Local Rule 230(l). In addition, Local Rule 110 provides that
28 failure to comply with the Local Rules or any order of this court “may be grounds for imposition

1 of any and all sanctions authorized by statute or Rule or within the inherent power of the Court.”
2 Finally, Rule 41(b), Federal Rules of Civil Procedure, authorizes the involuntary dismissal of an
3 action due to a plaintiff’s failure to prosecute, or to comply with the Federal Rules or a court
4 order.

5 Good cause appearing, IT IS HEREBY ORDERED that, within 21 days after the filing
6 date of this order, plaintiff shall file and serve an opposition, or statement of no opposition, to the
7 pending motion for summary judgment. Failure to timely file an opposition, or statement of no
8 opposition, will be deemed as plaintiff’s consent to have this action dismissed for lack of
9 prosecution, and failure to comply with the Local Rules and Federal Rules of Civil Procedure.
10 Said failure shall result in a recommendation that this action be dismissed without prejudice
11 pursuant to Federal Rule of Civil Procedure 41(b).

12 Dated: January 5, 2015

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14 DALE A. DROZD
15 UNITED STATES MAGISTRATE JUDGE

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