

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

DANIEL DAVIS,

Plaintiff,

No. 2: 11-cv-2585 JFM (PC)

vs.

S.M. SALINAS, et al.,

Defendants.

ORDER

_____ /

On December 14, 2012, defendants filed a motion for summary judgment pursuant to Federal Rule of Civil Procedure 56. To date, plaintiff has not opposed the motion nor submitted a statement of non-opposition.

Local Rule 230(l) 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 February 7, 2012 and again on December 14, 2012, plaintiff was advised of the requirements for filing an opposition to the motion. Plaintiff has also been advised that failure to oppose such a motion may be deemed a waiver of opposition to the motion.

Local Rule 110 provides that failure to comply with the Local Rules “may be grounds for imposition of any and all sanctions authorized by statute or Rule or within the

1 inherent power of the Court.” Plaintiff has been advised that failure to comply with the Local
2 Rules may result in a recommendation that the action be dismissed.

3 Good cause appearing, IT IS HEREBY ORDERED that, within thirty days of the
4 date of this order, plaintiff shall file an opposition, if any he has, to the motion for summary
5 judgment or a statement of non-opposition. Failure to comply with this order will result in a
6 recommendation that this action be dismissed pursuant Federal Rule of Civil Procedure 41(b).

7 DATED: January 31, 2013.

8
9 
10 UNITED STATES MAGISTRATE JUDGE

11 14
12 davi2585.46osc
13
14
15
16
17
18
19
20
21
22
23
24
25
26