UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

RUDY AROCHA,

Plaintiff,

v.

E. SAUCEDA, et al.,

Defendants.

No. 2:11-cv-2959 KJN P

ORDER

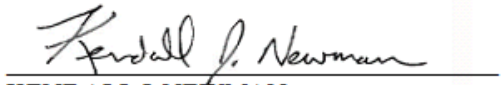
On August 26, 2013, defendants Miranda, Abshire, Alziebler, Hernandez and Pagala filed a motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b) and 12(b)(6). Plaintiff has not opposed the motion.

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 June 11, 2013, 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.

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 inherent power of the Court." In the order filed June 13, 2013, plaintiff was advised that failure to comply with the Local Rules may result in a recommendation that the action be dismissed.

Good cause appearing, IT IS HEREBY ORDERED that, within twenty-one days of the date of this order, plaintiff shall file an opposition, if any, to the motion to dismiss. Failure to file an opposition will be deemed as a statement of non-opposition and shall result in a recommendation that this action be dismissed pursuant Federal Rule of Civil Procedure 41(b).

Dated: September 25, 2013



KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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