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

SHELLEY VON BRINCKEN,

Plaintiff,

NO. 2:12-cv-2599-MCE-CKD PS

vs.

KEITH ROYAL, et al.,

Defendants.

ORDER

Plaintiff is proceeding pro se in this action which was referred to the undersigned pursuant to Local Rule 302(c)(21). Defendants’ motion to dismiss is presently set for hearing on December 12, 2012 before the undersigned. Dkt. 4. Opposition to a motion, or a statement of non-opposition thereto, must be filed fourteen days preceding the noticed hearing date. E.D. Cal. L. R. 230(c). A review of the docket reveals that plaintiff has yet to file an opposition or a statement of non-opposition to the motion.

Failure to comply with the Local Rules “may be grounds for imposition by the Court of any and all sanctions authorized by statute or Rule or within the inherent power of the Court.” E.D. Cal. L. R. 110; see Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Additionally, “[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.” E.D. Cal. L. R. 230(c). Pro se litigants are

1 bound by the rules of procedure, even though pleadings are liberally construed in their favor.
2 King v. Atiyeh, 814 F.2d 565, 567 (9th Cir. 1987); Jacobsen v. Filler, 790 F.2d 1362, 1364-65
3 (9th Cir. 1986). The Local Rules specifically provide that cases of persons appearing in propria
4 persona who fail to comply with the Federal and Local Rules are subject to dismissal, judgment
5 by default, and other appropriate sanctions. E.D. Cal. L. R. 183.

6 Good cause appearing, IT IS HEREBY ORDERED that:

7 1. The hearing date of December 12, 2012 is VACATED. Hearing on
8 defendants' motion is continued to January 9, 2013 at 10:00 a.m. in courtroom no. 26.

9 2. Plaintiff is directed to file opposition, if any, to the motion, or a statement of
10 non-opposition thereto, no later than December 26, 2012. Failure to file opposition and appear at
11 hearing, or to file a statement of non-opposition, will be deemed a statement of non-opposition,
12 and shall result in a recommendation that this action be dismissed.

13 3. Reply, if any, shall be filed no later than January 2, 2013.

14 IT IS SO ORDERED.

15 Dated: December 3, 2012

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17 CAROLYN K. DELANEY
18 UNITED STATES MAGISTRATE JUDGE
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