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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TOMMY HENDERSON,
Plaintiff,
v.
S. TSENG et al.,
Defendants.

No. 2:13-cv-0344 DAD P

ORDER

Plaintiff is a state prisoner proceeding pro se with this civil rights action brought pursuant to 42 U.S.C. § 1983. On January 23, 2015, defendant Tseng filed a motion for summary judgment pursuant to Federal Rule of Civil Procedure 56. Plaintiff has not opposed the motion.

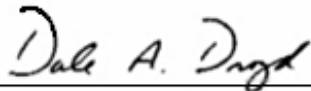
Local Rule 230(l) provides in part: “Failure of the responding party to file written opposition or to file a statement of no opposition may be deemed a waiver of any opposition to the granting of the motion” On April 30, 2014, plaintiff was advised of the requirements for filing an opposition to the 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 April 30, 2014, plaintiff was advised that failure to comply with the Local Rules may result in a recommendation that the action be dismissed.

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Good cause appearing, IT IS HEREBY ORDERED that, within thirty days of the date of this order, plaintiff shall file an opposition, if any, to the motion for summary judgment filed on behalf of defendant Tseng. 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). Alternatively, if plaintiff no longer wishes to pursue this action he may file a request to voluntarily dismiss this case.

Dated: March 5, 2015



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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