

1 In addition, plaintiff requests permission to file documents with the court electronically.
2 ECF No. 24. This request is also denied. Local Rule 133(b)(2) provides that, “Any person
3 appearing pro se may **not** utilize electronic filing except with the permission of the assigned
4 Judge or Magistrate Judge. See E.D. Cal. L.R. 133(b)(3). All pro se parties shall file and serve
5 paper documents as required by applicable Federal Rules of Civil or Criminal Procedure or by
6 these Rules.” Plaintiff’s request does not provide any reasons for making an exception to the
7 Local Rule. His request is denied.

8 Moreover, court records reflect that plaintiff has filed neither an opposition nor a
9 statement of non-opposition to the motion. Local Rule 230(c) provides that opposition to the
10 granting of a motion, or a statement of non-opposition thereto, must be served upon the moving
11 party, and filed with this court, no later than fourteen days preceding the noticed hearing date or,
12 in this instance, by April 9, 2014. Local Rule 230(c) further provides that “[n]o party will be
13 entitled to be heard in opposition to a motion at oral arguments if opposition to the motion has not
14 been timely filed by that party.”

15 Local Rule 110 provides that failure to comply with the Local Rules “may be grounds for
16 imposition by the Court of any and all sanctions authorized by statute or Rule or within the
17 inherent power of the Court.” See also *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995) (“Failure
18 to follow a district court’s local rules is a proper ground for dismissal.”).

19 Accordingly, good cause appearing, IT IS HEREBY ORDERED that:

20 1. The hearing on defendants’ motion to declare plaintiff a vexatious litigant is continued
21 to May 21, 2014, at 10:00 a.m. in Courtroom No. 8.

22 2. Plaintiff shall show cause, in writing, no later than April 30, 2014, why sanctions
23 should not be imposed for failure to timely file an opposition or a statement of non-opposition to
24 the pending motion.

25 3. Plaintiff shall file an opposition to the motion, or a statement of non-opposition thereto,
26 no later than April 30, 2014.

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4. Failure of plaintiff to file an opposition to the motion will be deemed a statement of non-opposition thereto, and may result in a recommendation that this action be dismissed for lack of prosecution and/or for failure to comply with court orders and this court's Local Rules. *See* Fed. R. Civ. P. 41(b).

5. Defendants may file a reply to plaintiff's opposition, if any, on or before May 7, 2014.

6. Plaintiff's motion for a "change of calendar" (ECF No. 24) is denied.

SO ORDERED.

DATED: April 16, 2014.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE