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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	ROBERT BENYAMINI,	No. 2:13-cv-735-KJM-EFB P
12	Plaintiff,	
13	v.	ORDER
14	M. SWETT, et al.,	
15	Defendants.	
16		
17	Plaintiff is a former state prisoner proceeding without counsel in an action brought under	
18	42 U.S.C. § 1983. On October 30, 2015, defendants moved to compel plaintiff's responses to	
19	discovery and to modify the scheduling order. ECF No. 69. Defendants noticed their motion for	
20	December 9, 2015. Plaintiff has not filed an opposition or a statement of no opposition to	
21	defendants' motions.	
22	In cases in which one party is incarcerated and proceeding without counsel, motions	
23	ordinarily are submitted on the record without oral argument. See E.D. Cal. Local Rule, 230(1);	
24	see also ECF No. 35 (providing that discovery disputes in this action should be briefed in	
25	accordance with Local Rule 230(1)). "Opposition, if any, to the granting of the motion shall be	
26	served and filed with the Clerk by the responding party not more than eighteen (18) days, plus	
27	three (3) days for mailing or electronic service, after the date of service of the motion." Id. A	
28	responding party's failure "to file written opposition or to file a statement of no opposition may	
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be deemed a waiver of any opposition to the granting of the motion and may result in the
imposition of sanctions." *Id.*

3	Furthermore, a party's failure to comply with any order or with the Local Rules "may be	
4	grounds for imposition of any and all sanctions authorized by statute or Rule or within the	
5	inherent power of the Court." Local Rule 110. The court may recommend that an action be	
6	dismissed with or without prejudice, as appropriate, if a party disobeys an order or the Local	
7	Rules. See Ferdik v. Bonzelet, 963 F.2d 1258, 1263 (9th Cir. 1992) (district court did not abuse	
8	discretion in dismissing pro se plaintiff's complaint for failing to obey an order to re-file an	
9	amended complaint to comply with Federal Rules of Civil Procedure); Carey v. King, 856 F.2d	
10	1439, 1440-41 (9th Cir. 1988) (dismissal for pro se plaintiff's failure to comply with local rule	
11	regarding notice of change of address affirmed).	
12	Accordingly, it is hereby ORDERED that:	
13	1. Within 21 days of the date of this order, plaintiff shall file either an opposition to	
14	defendants' motions (ECF No. 69) or a statement of no opposition. Failure to comply	
15	with this order may result in a recommendation of dismissal.	
16	2. The December 9, 2015 hearing on defendants' motions (ECF No. 69) is vacated.	
17	3. Good cause appearing, the December 31, 2015 deadline for the filing of defendants'	
18	dispositive motion is vacated. After defendants' motions (ECF No. 69) are submitted	
19	for decision, the court will set a new deadline for defendants' filing of a dispositive	
20	motion.	
21	DATED: December 3, 2015.	
22	EDMUND F. BRENNAN UNITED STATES MAGISTRATE JUDGE	
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