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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TAMMY SALING,

 Plaintiff,

 v.

KEITH ROYAL, Sheriff of Nevada
County, California; and GAYLE
SATCHWELL, Former Director of Human
Resources, Nevada County,

 Defendants.

No. 2:13-cv-1039-TLN-EFB PS

ORDER

This case, in which plaintiff is proceeding pro se, is before the undersigned pursuant to Eastern District of California Local Rule 302(c)(21). See 28 U.S.C. § 636(b)(1). On June 24, 2013, defendants filed a motion to dismiss plaintiff’s complaint, and noticed the motion for hearing on July 31, 2013. ECF No. 7.

Court records reflect that plaintiff has not filed an opposition or a statement of non-opposition to the motion to dismiss. Local Rule 230(c) provides that opposition to the granting of a motion, or a statement of non-opposition thereto, must be served upon the moving party, and filed with this court, no later than fourteen days preceding the noticed hearing date or, in this instance, by July 17, 2013. Local Rule 230(c) further provides that “[n]o party will be entitled to be heard in opposition to a motion at oral arguments if opposition to the motion has not been timely filed by that party.”

1 Local Rule 183, governing persons appearing in pro se, provides that failure to comply
2 with the Federal Rules of Civil Procedure and Local Rules may be ground for dismissal,
3 judgment by default, or other appropriate sanction. Local Rule 110 provides that failure to
4 comply with the Local Rules “may be grounds for imposition by the Court of any and all
5 sanctions authorized by statute or Rule or within the inherent power of the Court.” *See also*
6 *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995) (“Failure to follow a district court’s local rules
7 is a proper ground for dismissal.”). Pro se litigants are bound by the rules of procedure, even
8 though pleadings are liberally construed in their favor. *King v. Atiyeh*, 814 F.2d 565, 567 (9th
9 Cir. 1987).

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

11 1. The hearing on defendants’ motion to dismiss, ECF No. 7, is continued to August 28,
12 2013 at 10:00 a.m. in Courtroom No. 8.

13 2. Plaintiff shall show cause, in writing, no later than August 14, 2013, why sanctions
14 should not be imposed for failure to timely file an opposition or a statement of non-opposition to
15 the pending motion.

16 3. Plaintiff shall file an opposition to the motion, or a statement of non-opposition thereto,
17 no later than August 14, 2013.

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

22 5. Defendants may file a reply to plaintiff’s opposition, if any, on or before August 21,
23 2013.

24 6. The status (pretrial scheduling) conference currently set for September 25, 2013 is
25 continued to December 18, 2013 at 10:00 a.m. in Courtroom No. 8.

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7. On or before December 4, 2013, the parties shall file status reports in accordance with the May 24, 2013 order.

SO ORDERED.

Dated: July 24, 2013.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE