

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSHUA SMITH,

No. 2:13-cv-1070 AC P

Plaintiff,

ORDER

NOEMI MONTEMAYOR,

Defendant.

Plaintiff is a former state prisoner proceeding pro se and in forma pauperis with a civil rights action pursuant to 42 U.S.C. § 1983. On January 13, 2015, defendants filed a motion for summary judgment. ECF No. 24. Plaintiff has not opposed the motion.

Good cause appearing, IT IS HEREBY ORDERED that, within twenty-one days after the filing date of this order, plaintiff shall file and serve an opposition to the motion for summary judgment or a statement of non-opposition. Failure to comply with this order will result in the dismissal without prejudice of this action for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

DATED: March 9, 2015

Allison Claire
ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE