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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ERIC PEREZ,  
  
  Petitioner,  
  
  v.  
  
CONNIE GIPSON,  
  
  Respondent.

No. 2:13-cv-01921 DAD P

ORDER<sup>1</sup>

On November 21, 2013, respondent filed a motion to dismiss the petition for writ of habeas corpus filed by petitioner on September 11, 2013. (See ECF No. 9.) By order filed September 23, 2013, this court directed that, “[i]f the response to the habeas petition is a motion, petitioner’s opposition or statement of non-opposition to the motion shall be filed and served within thirty days . . . .” (ECF No. 5 at 2.) Far more than thirty days have passed since respondent filed her motion to dismiss, and petitioner has not responded to 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 . . . .” 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

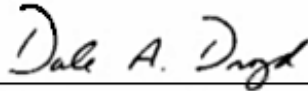
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<sup>1</sup> The parties have consented to magistrate judge jurisdiction over this action for all purposes, pursuant to 28 U.S.C. § 636(c), and Local Rule 305(a). (See Dkt. Nos. 8, 10.)

1 within the inherent power of the Court.” Federal Rule of Civil Procedure 41 authorizes dismissal  
2 of an action for failure to comply with the court’s rules or orders. See Fed. R. Civ. P. 41(b).

3 Good cause appearing, IT IS HEREBY ORDERED that, within 21 days after the filing  
4 date of this order, petitioner shall file an opposition, or statement of non-opposition, in response  
5 to the pending motion to dismiss. Failure to comply with this order will result in the dismissal of  
6 this action pursuant Federal Rule of Civil Procedure 41(b).

7 Dated: May 31, 2014

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10 DALE A. DROZD  
11 UNITED STATES MAGISTRATE JUDGE

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