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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSEPH LAVERY,  
Plaintiff,  
v.  
B. DHILLON,  
Defendants.

No. 2:13-cv-2083 MCE AC P

ORDER

On February 3, 2020, defendant Dhillon filed a motion for summary judgment pursuant to Federal Rule of Civil Procedure 56. ECF No. 210. Plaintiff has not opposed the motion.

Local Rule 230(1) 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 . . . .” On December 24, 2014, plaintiff was advised of the requirements for filing an opposition to the motion and that failure to oppose such a motion might be deemed a waiver of opposition to the motion.<sup>1</sup> See ECF No. 36 at 3.

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<sup>1</sup> For plaintiff’s convenience, a copy of the December 2014 order which states this rule is enclosed with this order. Plaintiff should note that the Rand notice he will need to properly respond to defendant Dhillon’s motion for summary judgment is attached to the order. See ECF No. 36 at 6. Defendant’s motion for summary judgment also contains a copy of the Rand notice. See ECF No. 210-4.

1 Local Rule 110 provides that failure to comply with the Local Rules “may be grounds for  
2 imposition of any and all sanctions authorized by statute or Rule or within the inherent power of  
3 the Court.” In the order filed December 24, 2014, plaintiff was advised that failure to comply  
4 with the Local Rules might result in a recommendation that the action be dismissed. See ECF  
5 No. 36 at 6.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. Within thirty days of the date of this order, plaintiff shall file an opposition, if any, to  
8 defendant Dhillon’s motion for summary judgment. Failure to file an opposition will be deemed  
9 as a statement of non-opposition and shall result in a recommendation that this action be  
10 dismissed pursuant Federal Rule of Civil Procedure 41(b); and

11 2. The Clerk of Court shall send plaintiff a copy of the service order in this case dated  
12 December 24, 2014. See ECF No. 36.

13 DATED: March 2, 2020

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15 ALLISON CLAIRE  
16 UNITED STATES MAGISTRATE JUDGE  
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