UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIE WEAVER,

Petitioner,

v.

ORDER

R. E. BARNES,

Respondent.

Petitioner seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On January 15, 2014, the court directed respondent to file a response the petition within 60 days. ECF No. 4. Respondent timely filed and served a motion to dismiss on March 17, 2014. ECF No. 11; *see* Fed. R. Civ. P. 6(a)(1)(C) (when filing deadline falls on a Saturday, Sunday, or legal holiday, the period for filing continues to run until the next day that is not a Saturday, Sunday, or legal holiday). Petitioner has not filed an opposition or a statement of no opposition to respondent's motion to dismiss. He has, however, filed three motions arguing that respondent is in default and that he should be released from custody as a result. ECF Nos. 13, 14, 15.

Because respondent's motion was timely filed, petitioner's requests for entry of default are denied. Moreover, petitioner is hereby informed that a responding party's failure "to file an opposition or to file a statement of no opposition may be deemed a waiver of any opposition to the granting of the motion and may result in the imposition of sanctions." L. R. 230(*l*). Failure to

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1	comply with any order or with the Local Rules "may be grounds for imposition by the Court of
2	any and all sanctions authorized by statute or Rule or within the inherent power of the Court." L.
3	R. 110. The court may dismiss this action with or without prejudice, as appropriate, if a party
4	disobeys an order or the Local Rules. See Ferdik v. Bonzelet, 963 F.2d 1258, 1263 (9th Cir.
5	1992) (district court did not abuse discretion in dismissing pro se plaintiff's complaint for failing
6	to obey an order to re-file an amended complaint to comply with Federal Rules of Civil
7	Procedure); Carey v. King, 856 F.2d 1439, 1440-41 (9th Cir. 1988) (dismissal for pro se
8	plaintiff's failure to comply with local rule regarding notice of change of address affirmed).
9	Accordingly, it is hereby ORDERED that:
10	1. Petitioner's motions (ECF Nos. 13, 14, 15) are denied.
11	2. Within 21 days of the date of this order, petitioner shall file either an opposition to the
12	motion to dismiss or a statement of no opposition.
13	3. Failure to comply with this order will result in a recommendation that this action be
14	dismissed.
15	Dated: April 22, 2014.
16	EDMUND F. BRENNAN UNITED STATES MAGISTRATE JUDGE
17	UNITED STATES MADISTRATE JUDGE
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