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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT H. FISHER,
Plaintiff,
v.
EDWARD BONNER, et al.,
Defendants.

No. 2:14-cv-757-KJM-EFB P

ORDER

Plaintiff is a former county inmate proceeding without counsel in an action brought under 42 U.S.C. § 1983. On November 28, 2016, defendant Easterling filed a motion for summary judgment. ECF No. 41. Plaintiff has not filed an opposition or a statement of non-opposition to defendant’s motion.

Pursuant to Local Rule 230(l), which applies to defendant’s motion (*see* ECF No. 14, ¶ 9), an “[o]pposition, if any, to the granting of the motion shall be served and filed by the responding party not more than twenty-one (21), days after the date of service of the motion.” *Id.* 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.”

Furthermore, a party’s failure to comply with any order or with the Local Rules “may be grounds for imposition by the Court of any and all sanctions authorized by statute or Rule or

1 within the inherent power of the Court.” Local Rule 110. The court may recommend that an
2 action be dismissed with or without prejudice, as appropriate, if a party disobeys an order or the
3 Local Rules. *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1263 (9th Cir. 1992) (district court did not
4 abuse discretion in dismissing pro se plaintiff’s complaint for failing to obey an order to re-file an
5 amended complaint to comply with Federal Rules of Civil Procedure); *Carey v. King*, 856 F.2d
6 1439, 1440-41 (9th Cir. 1988) (dismissal for pro se plaintiff’s failure to comply with local rule
7 regarding notice of change of address affirmed).

8 Accordingly, it is hereby ORDERED that, within 21 days of the date of this order,
9 plaintiff shall file either an opposition to the motion for summary judgment or a statement of no
10 opposition. Failure to comply with this order may result in a recommendation that this action be
11 dismissed without prejudice.

12 DATED: January 10, 2017.

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14 EDMUND F. BRENNAN
15 UNITED STATES MAGISTRATE JUDGE
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