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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KURT JOHNSON,  
Plaintiff,  
v.  
JEYSEN RELVES, et al.,  
Defendants.

No. 2:14-cv-0824 CKD P

ORDER

On June 5, 2014, plaintiff filed a document in which he asks that the motion to dismiss and motion for summary judgment filed by the remaining defendants on May 27, 2014 be stricken. The grounds presented in support of his motion are frivolous. Therefore, the motion will be denied. Plaintiff is warned that if he continues to file frivolous motions, he will be sanctioned, possibly with dismissal of this action.

The court also notes that plaintiff has not filed an opposition to defendants' pending motion to dismiss and for summary judgment, and the time for doing so has passed. Good cause appearing, plaintiff will be granted 30 days within which to file his opposition, or statement of non-opposition. Failure to file an opposition within 30 days will result in a recommendation that this action be dismissed without prejudice under Federal Rule of Civil Procedure 41(b).

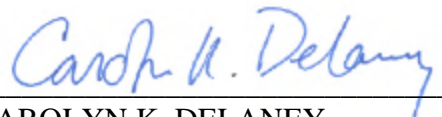
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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's June 5, 2014 motion to strike (ECF No. 99) is denied; and
2. Plaintiff shall file his opposition to defendants' pending motion to dismiss and for summary judgment, or statement of non-opposition, within 30 days. Failure to file an opposition within 30 days will result in a recommendation that this action be dismissed without prejudice under Federal Rule of Civil Procedure 41(b).

Dated: June 24, 2014

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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