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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

REV. WESLEY CRAWFORD SR.,

Plaintiff,

v.

LISA M. MOORE,

Defendant.

No. 2:14-cv-2725 JAM AC (PS)

ORDER

This Order amends the Order of October 6, 2015 (ECF No. 19), to require plaintiff to respond to the motion to dismiss no later than **October 14, 2015**, fourteen days before the hearing date.

This action was referred to the undersigned by Local Rule 302(c)(21). On July 20, 2015, defendant filed a motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6). ECF No. 17. Apparently in response, plaintiff has filed a letter with the subject line “Prison reform after parole has ended / Human Rights Violations.” ECF No. 18. However, plaintiff has filed no opposition, nor statement of non-opposition, to the motion to dismiss.

Local Rule 230(c) provides that opposition to the granting of a motion must be filed fourteen days preceding the noticed hearing date. The Rule further provides that “[n]o party will be entitled to be heard in opposition to a motion at oral arguments if written opposition to the motion has not been timely filed by that party.” In addition, Local Rule 230(j) provides that


1 failure to appear may be deemed withdrawal of opposition to the motion or may result in
2 sanctions. Finally, Local Rule 110 provides that failure to comply with the Local Rules “may be
3 grounds for imposition of any and all sanctions authorized by statute or Rule or within the
4 inherent power of the Court.”

5 Good cause appearing, IT IS HEREBY ORDERED that:

6 1. The hearing date of October 14, 2015 is VACATED. The hearing on defendant’s
7 motion to dismiss is continued to October 28, 2015 at 10:00 a.m. in Courtroom No. 26.

8 2. Plaintiff shall file an opposition, or a statement of non-opposition, to the motion to
9 dismiss, no later than **October 14, 2015** at 4:30 p.m. Failure to file opposition and appear at the
10 hearing will be deemed as a statement of non-opposition and shall result in a recommendation
11 that this action be dismissed pursuant to Federal Rule of Civil Procedure 41(b).

12 DATED: October 7, 2015

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14 ALLISON CLAIRE
15 UNITED STATES MAGISTRATE JUDGE
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