UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

VINCENT YEE,

Plaintiff,

v.

SACRAMENTO COUNTY JAIL, et al.,

Defendants.

No. 2:14-cv-2955 KJM DB PS

ORDER TO SHOW CAUSE

Plaintiff Vincent Yee is proceeding in this action pro se. This matter was referred to the undersigned in accordance with Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1). On March 31, 2017, defendant Sacramento County Jail filed a motion to dismiss and noticed that motion for hearing before the undersigned on May 19, 2017. (ECF No. 18.) Pursuant to Local Rule 230(c) plaintiff was to file opposition or a statement of non-opposition to defendant's motion "not less than fourteen (14) days preceding the noticed . . . hearing date." Plaintiff, however, has failed to file a timely opposition or statement of non-opposition.

The failure of a party to comply with the Local Rules or any order of the court "may be grounds for imposition by the Court of any and all sanctions authorized by statute or Rule or within the inherent power of the Court." Local Rule 110. Any individual representing himself or herself without an attorney is bound by the Federal Rules of Civil Procedure, the Local Rules, and all applicable law. Local Rule 183(a). Failure to comply with applicable rules and law may be

grounds for dismissal or any other sanction appropriate under the Local Rules. Id.

In light of plaintiff's pro se status, and in the interests of justice, the court will provide plaintiff with an opportunity to show good cause for plaintiff's conduct along with a final opportunity to oppose defendant's motion.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff show cause in writing within fourteen days of the date of this order as to why this case should not be dismissed for lack of prosecution[1];

2. The May 19, 2017 hearing of defendant's motion to dismiss (ECF No. 18) is continued to **Friday, June 16, 2017, at 10:00 a.m**., at the United States District Court, 501 I Street, Sacramento, California, in Courtroom No. 27, before the undersigned;

3. On or before **June 2, 2017**, plaintiff shall file a statement of opposition or non-opposition to defendant's motion to dismiss; and

4. Plaintiff is cautioned that the failure to timely comply with this order may result in a recommendation that this case be dismissed.

DATED: May 10, 2017

/s/ DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

[1] Alternatively, if plaintiff no longer wishes to pursue this civil action, plaintiff may comply with this order by filing a request for voluntary dismissal pursuant to Rule 41(a) of the Federal Rules of Civil Procedure.