1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 FELICIA CLARK, No. 2:15-cv-1211-JAM-EFB PS (TEMP) 12 Plaintiff. 13 v. **ORDER** 14 COUNTY OF SACRAMENTO, et al., 15 Defendants. 16 17 Defendants moved to dismiss this action and noticed their motion for hearing on February 18 10, 2016. ECF No. 11. Court records reflect that plaintiff has not filed a timely opposition or 19 statement of non-opposition to the motion. 20 Local Rule 230(c) provides that opposition to the granting of a motion, or a statement of 21 non-opposition thereto, must be served upon the moving party, and filed with this court, no later 22 than fourteen days preceding the noticed hearing date. Local Rule 230(c) further provides that 23 "[n]o party will be entitled to be heard in opposition to a motion at oral arguments if opposition to 24 the motion has not been timely filed by that party." Local Rule 183, governing persons appearing 25 in pro se, provides that failure to comply with the Federal Rules of Civil Procedure and Local 26 Rules may be grounds for dismissal, judgment by default, or other appropriate sanctions. Local 27 Rule 110 provides that failure to comply with the Local Rules "may be grounds for imposition by 28 the Court of any and all sanctions authorized by statute or Rule or within the inherent power of 1

1	the Court." See also Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995) ("Failure to follow a
2	district court's local rules is a proper ground for dismissal."). Pro se litigants are bound by the
3	rules of procedure, even though pleadings are liberally construed in their favor. King v. Atiyeh,
4	814 F.2d 565, 567 (9th Cir. 1987).
5	Accordingly, good cause appearing, it is hereby ORDERED that:
6	1. The hearing on defendants' motion to dismiss (ECF No. 11) is continued to March 2,
7	2016.
8	2. Plaintiff shall show cause, in writing, no later than February 17, 2016, why sanctions
9	should not be imposed for the failure to timely file an opposition or a statement of non-opposition
10	to the pending motion. <sup>1</sup>
11	3. Plaintiffs shall file an opposition to the motion, or a statement of non-opposition
12	thereto, no later than February 17, 2016.
13	4. Failure of to file an opposition to the motion will be deemed a statement of non-
14	opposition thereto, and may result in a recommendation that this this action be dismissed for lack
15	of prosecution and/or for failure to comply with court orders and this court's Local Rules. See
16	Fed. R. Civ. P. 41(b).
17	5. Defendants may file a reply to plaintiff's opposition, if any, on or before February 24,
18	2016.
19	DATED: February 3, 2016.
20	EĎMUND F. BRĚNNAN UNITED STATES MAGISTRATE JUDGE
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Alternatively, if plaintiff wishes to dismiss this action, he may do so by filing a notice of voluntary dismissal pursuant to Rule 41(a) of the Federal Rules of Civil Procedure.