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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 MORGAN MARIE GOMES,

12 Plaintiff,

13 v.

14 NICK BOONE, Placer County Probation
15 Officer; MR. WILLIAMS, employee at
16 Placer County Juvenile Detention Center;
17 PLACER COUNTY PROBATION
18 OFFICE; and Does 1 through 20,
19

20 Defendants.

No. 2:15-cv-1546 TLN DB PS

ORDER TO SHOW CAUSE

21 On September 2, 2016, defendants filed a motion to compel plaintiff's deposition and to
22 amend the pretrial scheduling order, along with a proof of service of the motion on plaintiff, and
23 set the matter for hearing before the undersigned on September 30, 2016. (Dkt. No. 25 at 1-3.)
24 Therein, defendants assert that plaintiff failed to appear at her March 30, 2016 deposition. (Dkt.
25 No. 25-1 at 2.) Defendants also assert that they served plaintiff with a Notice of Deposition for
26 September 12, 2016. (Dkt. No. 25-1 at 3.)

27 Pursuant to the Local Rules of Practice for the United States District Court for the Eastern
28 District of California, opposition, if any, to defendants' motion must have been filed "not later
than seven (7) days before the hearing date." Local Rule 251(e). Although it appears plaintiff

1 has been served with a copy of defendants' motion, plaintiff has failed to file a timely opposition
2 to defendants' motion. Moreover, on September 23, 2016, defendants filed a notice of plaintiff's
3 failure to file an opposition, in which defendants assert that plaintiff also failed to appear at her
4 September 12, 2016, deposition. (Dkt. No. 27 at 1-2.)

5 Plaintiff is advised that the failure of a party to comply with the Local Rules or any order
6 of the court "may be grounds for imposition by the Court of any and all sanctions authorized by
7 statute or Rule or within the inherent power of the Court." Local Rule 110. Any individual
8 representing himself or herself without an attorney is bound by the Federal Rules of Civil
9 Procedure, the Local Rules, and all applicable law. Local Rule 183(a). Failure to comply with
10 applicable rules and law may be grounds for dismissal or any other sanction appropriate under the
11 Local Rules. Id.

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

15 Accordingly, the court HEREBY ORDERS that:

16 1. Plaintiff show cause in writing within fourteen days of the date of this order as to why
17 this case should not be dismissed for lack of prosecution¹;

18 2. The September 30, 2016 hearing of defendants' motion is continued to **Friday,**
19 **October 21, 2016, at 10:00 a.m.,** at the United States District Court, 501 I Street, Sacramento,
20 California, in Courtroom No. 27, before the undersigned;

21 3. On or before **October 7, 2016,** plaintiff shall file a statement of opposition or non-
22 opposition to defendants' motion; and

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

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

3 Dated: September 27, 2016

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7 DEBORAH BARNES
8 UNITED STATES MAGISTRATE JUDGE
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