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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT BENYAMINI,  
Plaintiff,  
v.  
TERRY, et al.,  
Defendants.

No. 2:15-cv-2615-TLN-EFB P

ORDER


Plaintiff is a former state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. On April 29, 2016, defendants filed a motion for an order declaring plaintiff a vexatious litigant and requiring security under Local Rule 151(b). ECF No. 14. Despite being granted a sixty day extension of time, plaintiff has not filed an opposition or a statement of non-opposition to defendants’ motion. The court warned plaintiff that it was not inclined to grant additional requests for extensions of time. ECF No. 16.

A party’s failure to comply with any order or with the Local Rules “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. The court may recommend that an action be dismissed with or without prejudice, as appropriate, if a party disobeys an order or the Local Rules. *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1263 (9th Cir. 1992) (district court did not abuse discretion in dismissing pro se plaintiff’s complaint for failing to obey an order to re-file an

1 amended complaint to comply with Federal Rules of Civil Procedure); *Carey v. King*, 856 F.2d  
2 1439, 1440-41 (9th Cir. 1988) (dismissal for pro se plaintiff's failure to comply with local rule  
3 regarding notice of change of address affirmed).

4 Accordingly, it is hereby ORDERED that, within 21 days of the date of this order,  
5 plaintiff shall file either an opposition to defendants' motion or a statement of no opposition.  
6 Failure to comply with this order will result in a recommendation that this action be dismissed  
7 without prejudice.

8 DATED: July 25, 2016.

  
9 EDMUND F. BRENNAN  
10 UNITED STATES MAGISTRATE JUDGE  
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