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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	JEFFERSON A. McGEE,	No. 2:16-cv-1796-JAM-EFB PS
12	Plaintiffs,	
13	V.	ORDER TO SHOW CAUSE
14	STATE OF CALIFORNIA, et al.,	
15	Defendants.	
16		
17	Defendants County of Sacramento and State of California filed motions to dismiss this	
18	action pursuant to Federal Rule of Civil Procedure 12(b)(6), which are currently noticed for	
19	hearing on October 19, 2016. ECF Nos. 13, 22, 25. Court records reflect that plaintiff has not	
20	filed an opposition or statement of non-opposition to the motions.	
21	Local Rule 230(c) provides that opposition to the granting of a motion, or a statement of	
22	non-opposition thereto, must be served upon the moving party, and filed with this court, no later	
23	than fourteen days preceding the noticed hearing date or, in this instance, by October 5, 2016.	
24	Local Rule 230(c) further provides that "[n]o party will be entitled to be heard in opposition to a	
25	motion at oral arguments if opposition to the motion has not been timely filed by that party."	
26	Local Rule 183, governing persons appearing in pro se, provides that failure to comply with the	
27	Federal Rules of Civil Procedure and Local Rules may be grounds for dismissal, judgment by	
28	default, or other appropriate sanctions. Local Rule 110 provides that failure to comply with the	
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1	Local Rules "may be grounds for imposition by the Court of any and all sanctions authorized by	
2	statute or Rule or within the inherent power of the Court." See also Ghazali v. Moran, 46 F.3d	
3	52, 53 (9th Cir. 1995) ("Failure to follow a district court's local rules is a proper ground for	
4	dismissal."). Pro se litigants are bound by the rules of procedure, even though pleadings are	
5	liberally construed in their favor. King v. Atiyeh, 814 F.2d 565, 567 (9th Cir. 1987).	
6	Accordingly, good cause appearing, it is hereby ORDERED that:	
7	1. The hearing on the County of Sacramento and State of California's motions to dismiss	
8	(ECF Nos. 13, 22) is continued to November 22, 2016 at 10:00 a.m. in Courtroom No. 8.	
9	2. The hearing on defendant City of Sacramento's motion to declare plaintiff a vexatious	
10	litigant (ECF No. 9), which is currently set for October 19, 2016, is continued to November 22,	
11	2016 at 10:00 a.m. in Courtroom No. 8.	
12	3. Plaintiff shall show cause, in writing, no later than November 2, 2016, why sanctions	
13	should not be imposed for failure to timely file an opposition or a statement of non-opposition to	
14	the pending motions.	
15	4. Plaintiffs shall file an opposition to the motions, or a statement of non-opposition	
16	thereto, no later than November 2, 2016.	
17	5. Failure to file an opposition to the motions will be deemed a statement of non-	
18	opposition thereto, and may result in a recommendation that this action be dismissed for lack of	
19	prosecution and/or for failure to comply with court orders and this court's Local Rules. See Fed.	
20	R. Civ. P. 41(b).	
21	6. Defendants may file a reply to plaintiff's opposition, if any, on or before November 9,	
22	2016.	
23	DATED: October 6, 2016.	
24	EDMUND F. BRENNAN UNITED STATES MAGISTRATE JUDGE	
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