1		
2		
3		
4		
5		
6		
7		
8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
10		
11	JARON LUCIEN,	No. 2:16-cv-2595 WBS DB P
12	Plaintiff,	
13	V.	<u>ORDER</u>
14	WOODEN,	
15	Defendant.	
16		
17	Plaintiff is a state prisoner proceeding pro se and in forma pauperis with an action under	
18	42 U.S.C. § 1983. On February 5, 2019, defendant filed a motion for summary judgment. (ECF	
19	No. 39.) In an order filed March 1, 2019, this court advised the parties that motions for summary	
20	judgment shall be briefed pursuant to Local Rule 230(l). (ECF No. 26.) The parties were warned	
21	that the failure to file a timely opposition to a motion may be deemed a waiver of opposition to it.	
22	Local Rule 230(1) requires an opposition to a motion, including a motion for summary	
23	judgment, to be filed not more than twenty-one (21) days after the date of service of the motion.	
24	Defendant filed his motion on February 5. More than twenty-one days have passed since plaintiff	
25	should have been served with that motion. Plaintiff will be given an additional twenty days to file	
26	an opposition. If he fails to do so, this court will recommend dismissal of this action. See E.D.	
27	Cal. R. 110; Fed. R. Civ. P. 41.	
28	////	

Accordingly, IT IS HEREBY ORDERED that within twenty (20) days of the date of this order, plaintiff shall file his opposition to defendant's summary judgment motion. If plaintiff fails to file his opposition within that time period or otherwise respond to this order, this court will recommend dismissal of this action.

UNITED STATES MAGISTRATE JUDGE

Dated: March 15, 2019

DLB:9

DB/prisoner-civil rights/luci2595.msj oppo eot