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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TERRENCE VAIL,
Plaintiff,
v.
CITY OF SACRAMENTO,
Defendant.

No. 2:16-cv-2673 DB PS

ORDER

On June 20, 2017, defendant filed a motion to dismiss and noticed that motion for hearing before the undersigned on July 28, 2017.¹ (ECF No. 16.) Pursuant to Local Rule 230(c) plaintiff was to file opposition or a statement of non-opposition to defendant’s motion “not less than fourteen (14) days preceding the noticed . . . hearing date.” Plaintiff, however, has failed to file a timely opposition or statement of non-opposition.

The failure of a party to comply with the Local Rules or any order of the court “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. Any individual representing himself or herself without an attorney is bound by the Federal Rules of Civil Procedure, the Local Rules, and all applicable law. Local Rule 183(a). Failure to comply with applicable rules and law may be

¹ The parties have consented to Magistrate Judge jurisdiction over this action pursuant to 28 U.S.C. § 636(c)(1). (ECF No. 12.)


1 grounds for dismissal or any other sanction appropriate under the Local Rules. Id.

2 In light of plaintiff's pro se status, and in the interests of justice, the court will provide
3 plaintiff with an opportunity to show good cause for plaintiff's conduct along with a final
4 opportunity to oppose defendant's motion.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. Plaintiff show cause in writing within fourteen days of the date of this order as to why
7 this case should not be dismissed for lack of prosecution;
- 8 2. The July 28, 2017 hearing of defendant's motion to dismiss (ECF No. 16) is continued
9 to Friday, **August 25, 2017**, at **10:00 a.m.**, at the United States District Court, 501 I Street,
10 Sacramento, California, in Courtroom No. 27, before the undersigned;
- 11 3. On or before August 11, 2017, plaintiff shall file a statement of opposition or non-
12 opposition to defendant's motion to dismiss; and
- 13 4. Plaintiff is cautioned that the failure to timely comply with this order may result in a
14 recommendation that this case be dismissed.

15 Dated: July 24, 2017

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19 DEBORAH BARNES
20 UNITED STATES MAGISTRATE JUDGE

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23 DB/orders/orders.consent/vail2673.osc3.cont
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