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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MIKE FRANKLIN,
Plaintiff,
v.
VICKI ASHWORTH, et al.,
Defendants.

No. 2:17-cv-2138 KJM DB PS

ORDER

Plaintiff Mike Franklin is proceeding in this action pro se. This matter was referred to the undersigned in accordance with Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1). Noticed for hearing before the undersigned on March 2, 2018, are defendants’ motions to dismiss. (ECF Nos. 23 & 24.) Pursuant to Local Rule 230(c) plaintiff was to file opposition or a statement of non-opposition to defendants’ motions “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 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 defendants' motions.

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 prosecution¹;

8 2. The March 2, 2018 hearing of defendants' motions to dismiss (ECF Nos. 23 & 24) is
9 continued to **Friday, March 23, 2018, at 10:00 a.m.**, at the United States District Court, 501 I
10 Street, Sacramento, California, in Courtroom No. 27, before the undersigned;

11 3. On or before **March 9, 2018**, plaintiff shall file a statement of opposition or non-
12 opposition to defendants' motions 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: February 23, 2018

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19 DEBORAH BARNES
20 UNITED STATES MAGISTRATE JUDGE
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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.