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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARTIN ESPINO,

 Plaintiff,

 v.

ERIC ARNOLD, et al.,

 Defendants.

No. 2:17-cv-2198 KJM AC P

ORDER

Plaintiff, formerly a state prisoner, is proceeding pro se and in forma pauperis in this civil rights action under 42 U.S.C. § 1983. The case was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 21, 2022, defendants filed a motion to compel plaintiff to respond to defendants’ written discovery, or in the alternative, to dismiss this action pursuant to Federal Rule of Civil Procedure 37(b). ECF No. 46. Plaintiff has not responded to the motion, and the briefing period has expired. See generally Local Rule 230.

Whether plaintiff has been released from prison or is incarcerated, he must file either an opposition to defendants’ motion or a statement that he does not oppose it. See Local Rule 230(c), (l). Plaintiff will be given an additional thirty days either to file an opposition to the motion or a statement of non-opposition. If plaintiff files a statement of non-opposition, he must also also respond to defendants’ discovery requests in writing within the same thirty-day period.

1 Plaintiff is cautioned that failure to comply with this order may result in dismissal of the
2 case for failure to prosecute. See Rule 41(b), Fed. R. Civ. P.; Local Rule 110.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. Within thirty days of the date of this order, plaintiff shall file either: (1) an opposition
5 to defendants' motion to compel written discovery (ECF No. 46), or (2) a statement of non-
6 opposition to the granting of the motion; and

7 2. Should plaintiff opt to file a statement of non-opposition to defendants' motion to
8 compel, plaintiff must also respond to defendants' written discovery requests within the same
9 thirty-day period.

10 DATED: June 14, 2022

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12 ALLISON CLAIRE
13 UNITED STATES MAGISTRATE JUDGE
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