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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MIKE FRANKLIN,

 Plaintiff,

 v.

COUNTY OF PLACER, et al.,

 Defendants.

No. 2:17-cv-2277-JAM-EFB PS

ORDER AND ORDER TO SHOW CAUSE

Defendants North Tahoe Fire Protection District, Todd Conradson, and Scott Sedgwick have filed a motion to dismiss pursuant to Federal Rule of Civil Procedure (“Rule”) 12(b)(6), to strike pursuant to Rule 12(f), and for a more definite statement pursuant to Rule 12(e). ECF No. 45. Defendants County of Placer, Edward Bonner, Christopher Cattran, William Doyle, Maria Leftwich, Shane Mathias, Paul Nicholas, Ronald Scott Owens, and Jeffrey Winkler have also moved to dismiss pursuant to Rule 12(b)(6). ECF No. 47. The motions are currently set for hearing on September 19, 2018. ECF Nos. 45, 47.

Court records reflect that plaintiff has not filed an oppositions or statements of non-opposition to the motions. Local Rule 230(c) provides that opposition to the granting of a motion, or a statement of non-opposition thereto, must be served upon the moving party, and filed with this court, no later than fourteen days preceding the noticed hearing date or, in this instance, by September 5, 2018. Local Rule 230(c) further provides that “[n]o party will be entitled to be

1 heard in opposition to a motion at oral arguments if opposition to the motion has not been timely
2 filed by that party.” Local Rule 183, governing persons appearing in pro se, provides that failure
3 to comply with the Federal Rules of Civil Procedure and Local Rules may be grounds for
4 dismissal, judgment by default, or other appropriate sanctions. Local Rule 110 provides that
5 failure to comply with the Local Rules “may be grounds for imposition by the Court of any and
6 all sanctions authorized by statute or Rule or within the inherent power of the Court.” *See also*
7 *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995) (“Failure to follow a district court’s local rules
8 is a proper ground for dismissal.”). Pro se litigants are bound by the rules of procedure, even
9 though pleadings are liberally construed in their favor. *King v. Atiyeh*, 814 F.2d 565, 567 (9th
10 Cir. 1987).

11 Accordingly, good cause appearing, it is hereby ORDERED that:

12 1. The hearing on defendants’ motions (ECF Nos. 45, 47) is continued to October 31,
13 2018 at 10:00 a.m. in Courtroom No. 8.

14 2. Plaintiff shall show cause, in writing, no later than October 17, 2018, why sanctions
15 should not be imposed for failure to timely file oppositions or statements of non-opposition to
16 defendants’ motions.

17 3. Plaintiff shall file oppositions to the motions, or statements of non-opposition thereto,
18 no later than October 17, 2018.

19 4. Failure to file oppositions to the motions will be deemed as non-opposition thereto, and
20 may result in a recommendation that this action be dismissed for lack of prosecution and/or for
21 failure to comply with court orders and this court’s Local Rules. *See* Fed. R. Civ. P. 41(b).

22 5. Defendants may file a reply to plaintiff’s oppositions, if any, on or before October 24,
23 2018.

24 DATED: September 10, 2018.

25 
26 EDMUND F. BRENNAN
27 UNITED STATES MAGISTRATE JUDGE
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