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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ELI'EZER RE'UEL BEN-BINYAMIN,  
Plaintiff,  
v.  
C. RAMIREZ, *et al.*,  
Defendants.

Case No. 2:18-cv-01015-KJM-JDP (PC)  
ORDER TO SHOW CAUSE WHY  
SANCTIONS SHOULD NOT BE IMPOSED  
FOR FAILURE TO TIMELY FILE A  
RESPONSE TO PLAINTIFF'S CROSS-  
MOTION FOR SUMMARY JUDGMENT  
ECF No. 73  
FOURTEEN-DAY DEADLINE

On January 10, 2022, plaintiff filed a cross-motion for summary judgment. ECF No. 73. To date, defendants have not filed a response.

In cases where a party is incarcerated and proceeding without counsel, a responding party is required to file an opposition or statement of non-opposition not more twenty-one days after the date the motion is served. E.D. Cal. L.R. 230(l). Failure “to file an opposition or to file a statement of no opposition may be deemed a waiver of any opposition to the granting of the motion and may result in the imposition of sanctions.” *Id.*

Defendants will be ordered to show cause why sanctions should not be imposed for their failure to timely file a response to plaintiff's motion. ECF No. 54; *see* E.D. Cal. L.R. 110 (“Failure of counsel or 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

1 within the inherent power of the Court.”).

2 Accordingly, it is hereby ORDERED that:

3 1. Defendants shall show cause, within fourteen days of the date of this order, why  
4 sanctions should not be imposed for their failure to timely file a response to plaintiff’s motion.


5 2. Within fourteen days of this order, defendants shall file either an opposition or  
6 statement of non-opposition to plaintiff’s motion.

7 3. Plaintiff may file a reply to defendants’ opposition, if any, fourteen days thereafter.

8 4. Failure to comply with this order may result in the imposition of sanctions, including a  
9 recommendation that defendants’ answer be stricken and their default entered.

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11 IT IS SO ORDERED.

12 Dated: May 26, 2022

  
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JEREMY D. PETERSON  
UNITED STATES MAGISTRATE JUDGE

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