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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRADY LEE STRELZ,  
Plaintiff,  
v.  
JACKSON, et al.,  
Defendants.

No. 2:19-cv-0183 DB P

ORDER AND FINDINGS AND  
RECOMMENDATIONS

Plaintiff is a state prisoner proceeding pro se with a civil rights action under 42 U.S.C. § 1983. Plaintiff alleges Eighth Amendment claims of excessive force and deliberate indifference to his serious medical needs when he was incarcerated at California State Prison-Solano. On October 13, 2020, defendants filed a motion for summary judgment. (ECF No. 45.) As set out in this court’s April 29, 2019 order, all motions for summary judgment shall be briefed pursuant to L.R. 230(l). This court warned the parties that “[f]ailure to timely oppose such a motion may be deemed a waiver of opposition to the motion. See L.R. 230(l).” (ECF No. 13.) Local Rule 230(l) requires a party opposing a motion for summary judgment to file an opposition within twenty-one days after service of the motion.

Over sixty days have passed since defendants filed their motion and plaintiff has not filed an opposition or any other response to defendants’ motion. Accordingly,

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1 The Clerk of the Court is HEREBY ORDERED to randomly assign a district judge to this  
2 case, and

3 IT IS RECOMMENDED that this action be dismissed for plaintiff's failure to comply  
4 with the local rules and with court orders. See L.R. 110; Fed. R. Civ. P. 41.

5 These findings and recommendations will be submitted to the United States District Judge  
6 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within thirty days after  
7 being served with these findings and recommendations, either party may file written objections  
8 with the court. The document should be captioned "Objections to Magistrate Judge's Findings  
9 and Recommendations." The parties are advised that failure to file objections within the specified  
10 time may result in waiver of the right to appeal the district court's order. Martinez v. Ylst, 951  
11 F.2d 1153 (9th Cir. 1991).

12 Dated: December 14, 2020

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15 DEBORAH BARNES  
16 UNITED STATES MAGISTRATE JUDGE  
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