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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KAYSHON LAMONT MOODY,  
Plaintiff,  
v.  
D. GONZALEZ, *et al.*,  
Defendants.

Case No. 2:22-cv-1342-DC-JDP (P)

ORDER TO SHOW CAUSE

On December 12, 2024, defendants filed a motion for summary judgment. ECF No. 34. To date, plaintiff has not filed an opposition or a statement of non-opposition.<sup>1</sup>

To manage its docket effectively, the court requires litigants to meet certain deadlines. The court may impose sanctions, including dismissing a case, for failure to comply with its orders

<sup>1</sup> Plaintiff recently filed a document inquiring about the status of his case. ECF No. 37. Plaintiff is instructed that on December 12, 2024, defendants filed a motion for summary judgment. ECF No. 34. Pursuant to the Federal Rule of Civil Procedure 56 and Local Rule 230(1), plaintiff has an obligation to file a response. Local Rule 230(1) states:

Opposition, if any, to the granting of the motion shall be served and filed by the responding party not more than twenty-one (21) days after the date of service of the motion. A responding party who has no opposition to the granting of the motion shall serve and file a statement to that effect, specifically designating the motion in question. Failure of the responding party 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.

1 or local rules. *See* Fed. R. Civ. P. 41(b); E.D. Cal. L.R. 110; *Hells Canyon Pres. Council v. U.S.*  
2 *Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir.  
3 1988). Involuntary dismissal is a harsh penalty, but a district court has a duty to administer  
4 justice expeditiously and to avoid needless burden for the parties. *See Pagtalunan v. Galaza*, 291  
5 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

6 I will give plaintiff a chance to explain why the court should not dismiss the case based on  
7 his failure to file an opposition or a statement of non-opposition. Plaintiff's failure to respond to  
8 this order will constitute a failure to comply with a court order and will result in a  
9 recommendation that this action be dismissed. Accordingly, plaintiff is ordered to show cause  
10 within twenty-one days why this case should not be dismissed for failure to prosecute and failure  
11 to comply with local rules. Should plaintiff wish to continue with this lawsuit, he shall file,  
12 within twenty-one days, an opposition or statement of non-opposition to defendants' motion.

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14 IT IS SO ORDERED.

15 Dated: March 4, 2025

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18 JEREMY D. PETERSON  
19 UNITED STATES MAGISTRATE JUDGE  
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