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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ERNEST WRIGHT,

No. C 08-03134 WHA

Plaintiff,

v.

**ORDER RE BRIEFING FOR  
MOTION TO DISMISS**

JOHN CHIANG, STATE CONTROLLER,  
JEFFREY V. BROWNFIELD, CHIEF  
DIVISION OF AUDITS, MATTHEW  
MIRANDA, FIELD AUDITOR, AND  
DOES 1-XX,

Defendants.

\_\_\_\_\_/

Plaintiff, acting *pro se*, filed a complaint for civil rights and employment-law violations on June 30, 2008. On October 6, 2008, defendants filed a motion to dismiss and for a more definite statement. Defendants noticed a hearing on the motion for November 13, 2008. Pursuant to Civil Local Rule 7-3, therefore, plaintiff's opposition to the motion was due October 23, 2008. Plaintiff has filed no opposition to the motion.

Plaintiff is hereby ordered to respond to defendants' motion by **THURSDAY, OCTOBER 30, 2008**. Plaintiff shall either (1) file his opposition brief by that date, or (2) file a request for more time setting forth the reasons for the late filing and good cause for a continuance of the briefing and hearing schedule.

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If plaintiff submits an opposition brief by October 30, defendant shall have until **NOVEMBER 6, 2008**, to file its reply brief and the hearing will proceed on November 13 as scheduled. If plaintiff fails to respond by October 30 either by filing an opposition brief or by showing good cause for a continuance, as described above, the Court must deem defendants' motion to dismiss unopposed and will grant the motion on that basis.

**IT IS SO ORDERED.**

Dated: October 28, 2008

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE