IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

BERNARD R JACKSON,

Plaintiff,

v

BEN CURRY, WARDEN, et al,

Defendant(s).

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No C-08-5207 VRW (PR)

ORDER DIRECTING PLAINTIFF TO FILE OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Plaintiff, a prisoner at the Correctional Training Facility ("CTF") in Soledad, California, has filed a pro se civil rights complaint under 42 USC § 1983 alleging that his work supervisor, CTF plumber M Lawrence, violated his constitutional rights. Specifically, plaintiff claims Lawrence sought to have him fired from his prison work assignment and filed false rules violations reports in retaliation for his use of the inmate grievance system to file complaints against Lawrence. Plaintiff also claims Lawrence sought to have him fired for racially discriminatory reasons. Doc #1. After reviewing the complaint, the court found that, liberally construed, plaintiff's allegations

appeared to state cognizable § 1983 claims and ordered the United States Marshal to serve Defendant Lawrence. Doc #6.

On August 17, 2009, Defendant Lawrence filed a motion for summary judgment. Doc #12. Plaintiff sought an extension of time to file his opposition up to an including December 15, 2009, which the court granted. Doc ## 18 & 19. To date, Plaintiff has not filed an opposition, nor has he sought a second extension of time to do so.

Petitioner is directed to file, by no later than January 15, 2010, an opposition to defendant's motion for summary judgment or a request for an extension of time by which to file one. Plaintiff is advised that an extension of time will be granted only upon a showing of good cause. Plaintiff is further advised that failure to comply with the court's order will result in dismissal of the action.

IT IS SO ORDERED.

VAUGHN R WALKER
United States District Chief Judge

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