

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

ANDREW TODD

CIVIL ACTION

VERSUS

NO. 20-1634

SHERIFF JOSEPH P. LOPINTO,
ET AL.

SECTION "B" (3)

ORDER AND REASONS

Before the Court is Defendant's Motion for Partial Summary Judgment (Rec. Doc. 25). Local Rule 7.5 of the Eastern District of Louisiana requires that memoranda in opposition to a motion be filed **and** served no later than eight (8) days prior to the submission date. Plaintiff has failed to submit a memorandum in opposition to the motion, which was set for hearing on September 29, 2021. Further, no party has filed a motion to continue the hearing or filed a motion for extension of time within which to oppose the motion. Accordingly, this motion is deemed to be unopposed, and because it appears to the Court that the motion has merit,

IT IS ORDERED that the Motion for Partial Summary Judgment is **GRANTED**. As Defendant Lopinto is the only named defendant in this matter, this case is **DISMISSED**.

A motion for reconsideration of this order based on the appropriate Federal Rule of Civil Procedure, if any, must be filed within thirty (20) days. The motion must be accompanied by an opposition memorandum to the original motion. Because such a

motion would not have been necessary had a timely opposition memorandum been filed, the costs incurred in connection with the motion, including attorney's fees, will be assessed against the party moving for reconsideration. See Fed. R. Civ. P. 16, 83. A statement of costs conforming to Local Rule 54.3 shall be submitted by all parties desiring to be awarded costs and attorney's fees no later than eight (8) days prior to the hearing of the motion for reconsideration.

New Orleans, Louisiana this 30th day of September, 2021

A handwritten signature in black ink, appearing to read "L. J. ...", written over a horizontal line.

SENIOR UNITED STATES DISTRICT JUDGE