

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LANCE WILLIAMS,

Plaintiff,

v.

ROMERO, et al.,

Defendants.

No. 2:17-cv-1884 TLN DB P

ORDER

Plaintiff is a former¹ state prisoner proceeding with a civil rights action under 42 U.S.C. §1983. Plaintiff alleges defendants violated his Eighth Amendment rights by closing a mechanical door on him and/or refusing to provide him medical care. On April 28, 2022, plaintiff filed a motion to compel defendants to respond to discovery. (ECF No. 164.) Defendants filed an opposition. (ECF No. 167.) Thereafter, plaintiff requested and was granted extensions of time to file a reply brief. (ECF Nos. 171, 174, 178, 180.) The reply brief was due November 28, 2022. While this court recognizes that a reply brief is not required, it is worth noting that after six months to do so, plaintiff did not file one.

On November 18, 2022, defendant Chuckorski filed a motion for summary judgment. (ECF No. 181.) Pursuant to Local Rule 230(l), plaintiff's opposition was due 21 days after


¹ In a document filed June 13, 2022, plaintiff informed the court that he was in the process of being released.

1 service of the motion. Plaintiff has not filed an opposition or otherwise responded to defendant
2 Chuckorski's motion.

3 This court is concerned that plaintiff may no longer intend to prosecute this case. The last
4 document he filed here was on September 9, 2022. It was a motion for an extension of time to
5 respond to discovery and to file a reply to his motion to compel. This court will order plaintiff to
6 respond to this order to indicate whether he intends to continue prosecuting this action. If he
7 does, plaintiff shall explain why he has failed to file an opposition to defendant Chuckorski's
8 motion for summary judgment.

9 Accordingly, and good cause appearing, IT IS HEREBY ORDERED that within twenty
10 days of the filed date of this order, plaintiff shall file a document informing the court whether he
11 intends to continue prosecuting this action and, if he does, why he failed to file a timely
12 opposition to defendant Chuckorski's motion for summary judgment.

13 Dated: January 17, 2023

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16 DEBORAH BARNES
17 UNITED STATES MAGISTRATE JUDGE
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25 DB Prisoner Inbox/Civil Rights/S/will1884.fta or
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