UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

BARRY STUART HALAJIAN, Plaintiff, v. JP MORGAN CHASE BANK, NA, et al., Defendants,	No. 2:23-cv-1522 DJC DB PS ORDER

Plaintiff Barry Stuart Halajian is proceeding in this action pro se. This matter was referred to the undersigned in accordance with Local Rule 302(c)(21) and 28 U.S.C. § 636(b)(1). On February 29, 2024, defendants Hasset & George, PC, and James Trudell filed a motion to dismiss and noticed the motion for hearing before the undersigned on April 5, 2024. (ECF No. 43.) That same day defendant JP Morgan Chase Bank, NA filed a motion to dismiss and noticed the motion for hearing before the undersigned on April 19, 2024. (ECF No. 45.) On March 4, 2024, defendant Elizabeth Ostrowki filed a motion to dismiss and noticed the motion for hearing before the undersigned on April 12, 2024. (ECF No. 51.)

Pursuant to Local Rule 230(c) plaintiff was to file an opposition or a statement of non-opposition to defendants' motions not less "than fourteen (14) days after the motion was filed." Plaintiff, however, has failed to file a timely opposition or statement of non-opposition to any of the motions to dismiss.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

The failure of a party to comply with the Local Rules or any order of the court "may be grounds for imposition by the Court of any and all sanctions authorized by statute or Rule or within the inherent power of the Court." Local Rule 110. Any individual representing himself or herself without an attorney is bound by the Federal Rules of Civil Procedure, the Local Rules, and all applicable law. Local Rule 183(a). Failure to comply with applicable rules and law may be grounds for dismissal or any other sanction appropriate under the Local Rules. Id.

In light of plaintiff's pro se status, and in the interests of justice, the court will provide plaintiff with an opportunity to show good cause for plaintiff's conduct along with a final opportunity to oppose defendants' motions.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff show cause in writing within fourteen days of the date of this order as to why this case should not be dismissed for lack of prosecution;

2. The hearings of defendants' motions to dismiss (ECF Nos. 43, 44, and 51) are continued to **Friday, May 17, 2024, at 10:00 a.m.**, at the United States District Court, 501 I Street, Sacramento, California, in Courtroom No. 27, before the undersigned;

3. On or before **May 3, 2024**, plaintiff shall file an opposition or statement of non-opposition to defendants' motions to dismiss[1]; and

4. Plaintiff is cautioned that the failure to timely comply with this order may result in the recommendation that this case be dismissed.

DATED: April 1, 2024

/s/ DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

[1] Alternatively, if plaintiff no longer wishes to pursue this civil action, plaintiff may comply with this order by filing a request for voluntary dismissal pursuant to Rule 41(a) of the Federal Rules of Civil Procedure.