

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

MICHAEL F. LAFORGE,

Plaintiff,

vs.

JANICE GETS DOWN, NATASHA J.
MORTON, LEROY NOT AFRAID,
SHEILA WILKINSON NOT AFRAID,

Defendants.

CV 17-48-BLG-BMM-TJC

ORDER

Before the Court are six pending motions:

- (1) Defendant Natasha Morton's Motion to Dismiss for Failure to State a Claim (Doc 11);
- (2) Plaintiff Michael LaForge's Motion Submit [sic] Support of Pleading Evidence (Doc. 13);
- (3) LaForge's Motion to File Exhibits (Doc. 14);
- (4) Morton's Motion for Summary Ruling (Doc. 16);
- (5) Defendants Leroy Not Afraid's and Sheila Wilkinson Not Afraid's Motion to Dismiss for Lack of Subject Matter Jurisdiction and Failure to State a Claim (Doc. 20); and
- (6) LaForge's Motion for Prayer for Relief (Doc. 24).

To date, no party has filed a response to any of these motions. D. Mont.

L.R. 7.1(d)(1)(B) governs the briefing schedule for motions filed in this Court and provides in pertinent part that Defendants' responses to LaForge's three non-

dispositive motions (Docs. 13, 14, and 24) were due within fourteen (14) days of the date those motions were filed, and LaForge's responses to Defendants' three dispositive motions (Docs. 11, 16, and 20) were due within twenty-one (21) days of the date those motions were filed. The deadline has long passed with respect to each motion. The parties should be aware that "failure to file a response brief may be deemed an admission that the motion is well-taken." L.R. 7.1(d)(1)(B)(ii).

Accordingly, IT IS HEREBY ORDERED that, on or before **November 17, 2017**, each party must show cause, if any, why the Court should not deem these motions to be well-taken. If the parties do not object to the relief sought by any particular motion, they should so state. If the parties fail to respond to this Order, the undersigned will proceed under the presumption that any unaddressed motion should be deemed well-taken. LaForge is specifically advised that failure to respond to this Order will result in recommendations to Judge Morris that Defendants' motions to dismiss be deemed well-taken and that he should dismiss this matter with prejudice. *See* Fed. R. Civ. P. 41(b); *Malone v. U.S. Postal Service*, 833 F.2d 128, 130-131 (9th Cir. 1987) (a court may dismiss an action with prejudice for failure to obey a court order).

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DATED this 3rd day of November, 2017.

A handwritten signature in black ink, appearing to read 'TJC', is written over a horizontal line.

TIMOTHY J. CAVAN

United States Magistrate Judge