

FILED

JUL 11 2017

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ESTATE OF FERNANDO SAUCEDA; et
al.,

Plaintiffs-Appellees,

v.

CITY OF NORTH LAS VEGAS and
NORTH LAS VEGAS POLICE
DEPARTMENT,

Defendants,

and

JEFFREY POLLARD,

Defendant-Appellant.

No. 15-17518

D.C. No.
2:11-cv-02116-GMN-NJK

ORDER*

Appeal from the United States District Court
for the District of Nevada
Gloria M. Navarro, Chief Judge, Presiding

Submitted January 9, 2017**
San Francisco, California

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Before: WALLACE, CLIFTON, and M. SMITH, Circuit Judges.

The district court's summary judgment orders are VACATED and the case is REMANDED to the district court so that the court can consider the summary judgment issues in light of *County of Los Angeles v. Mendez*, 137 S.Ct. 1539 (2017).

Each party shall bear its own costs on appeal.

VACATED and REMANDED.