

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

SEP 30 2009

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

TIM CARRICO,

Plaintiff,

and

SMALL PROPERTY OWNERS OF SAN
FRANCISCO INSTITUTE; MARY
FIGONE,

Plaintiffs - Appellants,

v.

CITY AND COUNTY OF SAN
FRANCISCO,

Defendant - Appellee.

No. 09-17151

D.C. No. 3:09-cv-00605-WHA
Northern District of California,
San Francisco**TIME SCHEDULE
ORDER**

The parties shall meet the following time schedule:

- | | |
|---------------------------------|--|
| Fri., September 25, 2009 | Appellant/petitioner shall immediately file the civil appeals docketing statement (CADS), pursuant to Circuit Rule 33-1; |
| Mon., October 26, 2009 | Appellant/petitioner shall file transcript order form with the district court and make payment arrangements with court reporter, pursuant to 9th Cir. R. 10-3.1; |
| Tue., November 24, 2009 | Court reporter shall file transcript in the district court, pursuant to FRAP 11(b) and 9th Cir. R. 11-1.1; |

Mon., January 11, 2010 Appellant/petitioner's opening brief and excerpts of record shall be served and filed pursuant to FRAP 32 and 9th Cir. R. 32-1;

Tue., February 9, 2010 The brief of appellee/respondent shall be filed and served, pursuant to FRAP 32 and 9th Cir. R. 32-1

The optional appellant/petitioner reply brief shall be filed and served within fourteen days of service of the appellee/respondent's brief, pursuant to FRAP 32 and 9th Cir. R. 32-1.

Failure of the appellant to comply with the Time Schedule Order will result in automatic dismissal of the appeal. 9th Cir. R. 42-1

Appellants/Petitioners without representation of counsel in a prisoner appeal may have their case submitted on the briefs and record without oral argument, pursuant to FRAP 34(a). Within 10 days of the filing of the appellant's opening brief, parties may file a statement setting forth the reasons why, in the opinion of the parties, oral argument should be heard.

FOR THE COURT:

Molly C. Dwyer
Clerk of Court

Gerald Rosen
Deputy Clerk