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NOT FOR PUBLICATION

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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Heather Joy Squires; Jason Duffy Squires,)

No. CV-09-1170-PHX-FJM

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Plaintiffs,

ORDER

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vs.

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Bonificio Gonzalez, et al.,

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Defendants.

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The court has before it defendants’ motion to dismiss George Gascon and all unnamed City of Mesa police officers (doc. 3). Defendants contend that dismissal is warranted under Rule 12(b)(6), Fed. R. Civ. P., because the complaint fails to state a claim upon which relief can be granted. Plaintiffs have not responded and the time for doing so has expired. Failure to file an answering memorandum “may be deemed a consent to the . . . granting of the motion and the Court may dispose of the motion summarily.” LRCiv 7.2(i).

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Therefore, **IT IS ORDERED GRANTING** defendants’ motion to dismiss all claims against George Gascon and all unnamed City of Mesa police officers (doc. 3).

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DATED this 10th day of July, 2009.

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Frederick J. Martone

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Frederick J. Martone
United States District Judge

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