

**FILED**

UNITED STATES COURT OF APPEALS

OCT 07 2009

FOR THE NINTH CIRCUIT

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

SEAN DAVID MORTON; MELISSA  
MORTON,

Plaintiffs - Appellants,

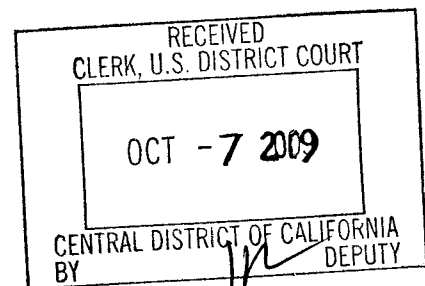
v.

BENNETT ELLENBOGEN; TIM  
JOHNSON, Erroneously Sued as Stephen  
Johnson; ERIC H. HOLDER, Jr., Attorney  
General, Attorney General of the United  
States; THOMAS P. O'BRIEN, U.S.  
Attorney for the Central District of  
California, and other unknown federal  
employees,

Defendants - Appellees.

No. 09-56041  
D.C. No. 2:09-cv-01875-PA-JC  
Central District of California, Los  
Angeles

**MANDATE**



The judgment of this Court, entered 09/15/09, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule  
41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

Molly C. Dwyer  
Clerk of Court

/s/

By: Theresa Benitez  
Deputy Clerk

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Plaintiffs - Appellants,

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Defendants - Appellees.

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Central District of California,  
Los Angeles

ORDER

Before: PREGERSON, TASHIMA and N.R. SMITH, Circuit Judges.

A review of the record and the response to the July 9, 2009 order to show cause indicates that the questions raised in this appeal are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard).

Accordingly, we summarily affirm the district court's judgment.

**AFFIRMED.**