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JS-6

8 Attorneys for Defendants,
 9 COUNTY OF SAN BERNARDINO, MIKE LANDAVAZO, and JANNA
 10 KOVENSKY

11 UNITED STATES DISTRICT COURT
 12 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

13 MEAGAN LONG, JEREMY
 14 GONZALEZ,
 15
 16 Plaintiffs,
 17 v.
 18 COUNTY OF SAN BERNARDINO
 19 MIKE LANDAVAZO as an
 20 individual and official capacity;
 21 JANNA KOVENSKY, as an
 22 individual and official capacity
 23 and DOES 1-20 et seq.
 24 Defendants.

CASE NO.: EDCV 12-1606
 R(SPx)

**ORDER RE: MOTION TO
 DISMISS AND JUDGMENT**

**Trial Date: September 17,
 2013**

Honorable Manuel L. Real

25 TO PLAINTIFFS AND THEIR ATTORNEY OF RECORD:

26 The motion for remand filed by the plaintiffs on June 19, 2013 came on
 27 regularly for hearing on August 5, 2013. No appearance was made by
 28 plaintiff's counsel.

1 The Court finds that the case cannot be remanded and the Court
2 construed the plaintiff's motion to remand to be a motion to voluntarily
3 dismiss plaintiff's federal claims. The Court grants the motion to dismiss the
4 federal causes of action in the complaint with prejudice and the Court further
5 declines to retain jurisdiction over the state causes of action, and dismisses
6 the state causes of action without prejudice.

7 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the
8 plaintiff's motion to remand is hereby converted to a motion to voluntarily
9 dismiss all plaintiffs' federal claims. That all federal causes of action in the
10 complaint are dismissed with prejudice and the state causes of action are
11 dismissed without prejudice. All hearing dates in this action are vacated.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that
13 defendants are entitled to judgment in their favor against plaintiffs on the
14 federal claims for relief. Defendants are entitled to their statutory costs as
15 allowable by law.

16 DATED: August 16, 2013

17 
18 _____
19 U.S. DISTRICT COURT JUDGE

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA)
3 COUNTY OF RIVERSIDE) ss:

4 I, the undersigned, declare:

5 I am employed in the County of Riverside, State of
6 California. I am over the age of 18 years and not a party to this
7 action; my business address is 1325 Spruce Street, Suite 200,
8 Riverside, California 92507.

9 On the date written below, I served the document named below
10 on the parties indicated below, in the following manner:

11 **(By Mail)** I am familiar with this office’s practice for the
12 collection and processing of documents for mailing with the
13 United States Postal Service. The documents are deposited with the
14 United States Postal Service on the same day in the
15 ordinary course of business. I placed a true copy of the
16 document thereof in a sealed envelope and caused said
17 document(s) to be delivered in this manner.

18 **(By Facsimile)** I am familiar with this office’s practice for the
19 facsimile transmission of documents. I caused said
20 document(s) to be sent to the facsimile numbers listed below
21 and caused said machine to print a transmission record, a copy
22 of which I have retained. The sending machine is (951) 686-
23 4801.

24 **DOCUMENT: [Proposed] Order re: Motion to Dismiss and
25 Judgment**

26 **PARTIES SERVED:**

27 Ralph R. Rios, Esq.
28 Ralph M. Rios, Esq.
RIOS & ASSOCIATES
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Pasadena, CA 91105
Tel: (626) 583-1100
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Attorneys for Plaintiffs

29 **(FEDERAL)** I declare under penalty of perjury that I am
30 employed in the office of a member of the bar of this court at
31 whose direction the service was made.

32 Executed on August __, 2013 at Riverside, California.

33 _____
34 **ESMERALDA TOWNSEND, Declarant**