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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

BRYAN E. RANSOM,

CASE NO. 1:05-cv-00086-OWW-GSA PC

Plaintiff,

ORDER VACATING MOTIONS FOR
SUMMARY JUDGMENT FROM COURT'S
CALENDAR PENDING SUBMISSION OF
MOTION TO DISMISS PURSUANT TO
LOCAL RULE 78-230(M)

v.

M. JOHNSON, et al.,

Defendants.

(Docs. 178 and 184)

_____ /
This is a civil rights action filed pursuant to 42 U.S.C. § 1983 by Plaintiff Bryan E. Ransom, a state prisoner proceeding pro se and in forma pauperis. Pending before the Court are Plaintiff's second motion for summary judgment, filed December 19, 2008, and Defendants' first motion for summary judgment, filed March 5, 2009. On July 22, 2009, Defendants filed a motion to dismiss. Plaintiff has not yet filed a response to the motion.

The Court has reviewed the voluminous record in this action, and finds that conservation of the Court's resources is best served by simultaneous consideration of the pending dispositive motions. Accordingly, in light of 28 U.S.C. § 476(a)(1), the Civil Justice Reform Act, the parties' motions for summary judgment, filed December 19, 2008, and March 5, 2009, are HEREBY

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1 DEEMED VACATED from the Court's calendar until Defendants' motion to dismiss is submitted.

2 Local Rule 78-230(m).

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4 IT IS SO ORDERED.

5 Dated: August 20, 2009

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE

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