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Attorneys for Defendants

UNITED STATES DISTRICT COURT  
 EASTERN DISTRICT OF CALIFORNIA

ESTATE OF STEPHEN O. ESQUIVEL, by and )  
 through its legal representative, SYLVIA )  
 ESQUIVEL; SYLVIA ESQUIVEL; ANISIA )  
 MARIA ESQUIVEL, ANTHONY ARENAS, )  
 and JOHNNY ALONSO ESQUIVEL, minors )  
 suing through their guardian ad litem, SYLVIA )  
 ESQUIVEL, )

Plaintiffs, )

vs. )

SANGER POLICE OFFICER MANUEL )  
 CHAVEZ; SANGER POLICE OFFICER ERIC )  
 GRIJALVA; SANGER POLICE SERGEANT )  
 FRED SANDERS; UNKNOWN LAW )  
 ENFORCEMENT OFFICERS; THE CITY OF )  
 SANGER, CALIFORNIA, )

Defendants. )

No. 1:06-cv-01690-022-OWW  
 (WMWx)

**E-FILING**

**ORDER GRANTING IN PART,  
 AND DENYING IN PART,  
 DEFENDANTS' MOTION FOR  
 SUMMARY JUDGMENT**

The Motion for Summary Judgment or Summary Adjudication of Issues by  
 Defendants, Officers Manuel Chavez and Eric Grijalva, Sergeant Fred Sanders, and the  
 City of Sanger was heard on October 6, 2008, by the Honorable Oliver W. Wanger. At  
 the conclusion of the hearing, the matter was taken under submission.

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1 The issues having now been fully considered and a decision having been duly  
2 rendered:

3 **IT IS HEREBY ORDERED AND ADJUDGED:**

4 Defendants' motion for summary judgment is GRANTED IN PART AND  
5 DENIED IN PART

6 1. Summary judgment is GRANTED for Defendants City of Sanger Police  
7 Officer Eric Grijalva, City of Sanger Police Sergeant Fred Sanders, and the City of  
8 Sanger.

9 2. Summary judgment is GRANTED for Defendants on Plaintiff's claim  
10 for violation of 42 U.S.C. § 1985.

11 3. Summary judgment is DENIED for Defendant City of Sanger Police  
12 Officer Manuel Chavez for the use of deadly force in violation of 42 U.S.C. § 1983 and  
13 for qualified immunity from liability based on his use of deadly force.

14 DATED: November 30, 2008

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16 /s/ OLIVER W. WANGER  
17 Hon. Oliver W. Wanger  
18 United States District Judge  
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