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**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA**

DANIEL PROVENCIO, JR., personally)	NO. 1:07-CV-0069-AWI-BAK GSA
and as successor in interest to DANIEL)	
PROVENCIO, deceased, by his guardian)	ORDER VACATING MAY 4, 2009
at litem, Maria Lucero, et al.,)	HEARING DATE AND TAKING
)	MATTER UNDER SUBMISSION
Plaintiffs,)	
v.)	
PATRICIA L. VAZQUEZ, et al.,)	
)	
Defendants.)	

Defendants' motions for summary judgment have been set for hearing in this case on May 4, 2009. The court has reviewed the papers and has determined that these matters are suitable for decision without oral argument. Local Rule 78-230(h). Therefore, IT IS HEREBY ORDERED that the previously set hearing date of May 4, 2009, is VACATED, and the parties shall not appear at that time. As of May 4, 2009, the court will take the matters under submission, and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: May 1, 2009

/s/ Anthony W. Ishii
CHIEF UNITED STATES DISTRICT JUDGE