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

RODNEY SCHULTZ, et al.,)	No. CV-F-08-526 OWW/SMS
)	
)	ORDER DENYING DEFENDANT
Plaintiffs,)	JUANITA PRICE'S MOTION FOR
)	SUMMARY JUDGMENT WITHOUT
vs.)	PREJUDICE (Doc. 116)
)	
SAKAYE ICHIMOTO, et al.,)	
)	
Defendants.)	
)	

On March 31, 2009, Defendant Juanita Price, proceeding in pro per, filed a motion for summary judgment. (Doc. 116). By Order filed on April 6, 2009 and re-served on August 11, 2009, (Docs. 118 & 128), Plaintiff was ordered to comply with Rules 5-135 and 78-230(b), Local Rules of Practice, and advised that the Court cannot and will not consider her motion for summary judgment until she complied with these rules. To date, Defendant Price has not filed a notice of motion or a proof of service as required by Court order and the Local Rules.

Defendant's motion for summary judgment is therefore DENIED

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WITHOUT PREJUDICE .

IT IS SO ORDERED.

Dated: February 17, 2010

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE