

1  
2  
3  
4  
5  
6  
7  
8 **IN THE UNITED STATES DISTRICT COURT FOR THE**  
9 **EASTERN DISTRICT OF CALIFORNIA**

10 GLORIA PALACIOS, ) NO. 1:08-CV-01996-AWI-GSA  
11 )  
12 Plaintiff, ) ORDER VACATING HEARING  
13 ) DATE OF JANUARY 4, 2010  
14 v. ) AND TAKING MATTERS  
15 ) UNDER SUBMISSION  
16 HENRY D. NUNEZ, et al., WILLIAM )  
17 F. HANCOCK, JR., et al., and DOES )  
18 1 through 100, )  
19 Defendants. )  
20 \_\_\_\_\_ )

21 Defendant Nunez has noticed for hearing and decision a motion to dismiss, and  
22 Defendant Hancock has noticed for hearing and decision a motion to quash. The Defendants  
23 have joined in each other's motions. The matters were scheduled for hearing to be held on  
24 January 4, 2010. Pursuant to Local Rule 78-230(c), Plaintiff was required to file either an  
25 opposition or a notice of non-opposition to each motion no later than December 21, 2009.  
26 Plaintiff failed to do so.

27 Due to Plaintiff's failure to file a timely oppositions or notice of non-oppositions, she is  
28 in violation of the Local Rules. See 78-230(c). Plaintiff is further not entitled to be heard at oral  
argument in opposition to the motions. See 78-230(c). The court has reviewed Defendants'  
motions and the applicable law, and has determined that the motions are suitable for decision  
without oral argument. See Local Rule 78-230(h).

1 ///

2  
3 Therefore, IT IS HEREBY ORDERED that the previously set hearing date of January 4,  
4 2010, is VACATED, and no party shall appear at that time. As of January 4, 2010, the court  
5 will take the matters under submission, and will thereafter issue its decision.  
6

7 IT IS SO ORDERED.

8 **Dated: December 22, 2009**

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