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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

**JUANITA ALLEN,** )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 **CALIFORNIA DEPARTMENT OF** )  
 **CORRECTIONS AND** )  
 **REHABILITATION, an agency of the** )  
 **State of California, a public entity;** )  
 **KEN CLARK, individually; DOES 1-** )  
 **10, Inclusive** )  
 )  
 **Defendants.** )  
 \_\_\_\_\_ )

**CIV-F-09-0767 AWI GSA**  
**ORDER VACATING HEARING**  
**DATE OF JULY 27, 2009 AND**  
**TAKING MATTER UNDER**  
**SUBMISSION**

Defendants have made a motion for to dismiss. Plaintiff has filed an opposition and Defendants have filed a reply. The court has reviewed the papers filed and has determined that the motion is suitable for decision without further oral argument. See Local Rule 78-230(h).

Therefore, IT IS HEREBY ORDERED that the previously set hearing date of July 27, 2009, is VACATED, and no party shall appear at that time. As of that date, the court will take the matter under submission and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: July 24, 2009

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