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

JUANITA ALLEN,)	NO. 1:09-CV-00767-AWI-GSA
)	
Plaintiff,)	ORDER VACATING
)	NOVEMBER 16, 2009 HEARING
v.)	DATE AND TAKING MATTER
)	UNDER SUBMISSION
CALIFORNIA DEPARTMENT OF)	
CORRECTIONS AND)	
REHABILITATION, et al.,)	
)	
Defendants.)	

Defendants' motion to dismiss first amended complaint has been set for hearing in this case on November 16, 2009. The court has reviewed the papers and has determined that this matter is suitable for decision without oral argument. Local Rule 78-230(h). Therefore, IT IS HEREBY ORDERED that the previously set hearing date of November 16, 2009, is VACATED, and the parties shall not appear at that time. As of November 16, 2009, the court will take the matter under submission, and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: November 10, 2009

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