

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

CHRISTIAN ACOSTA, et al.,) NO. 1:09-CV-01560 AWI GSA
Plaintiffs,) ORDER VACATING
v.) MAY 24, 2010 HEARING DATE
JAMES TOURNER, et al.,) AND TAKING MATTER
Defendants.) UNDER SUBMISSION

Defendant City of Fresno's motion to dismiss has been set for hearing in this case on May 24, 2010. 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 May 24, 2010, is VACATED, and the parties shall not appear at that time. As of May 24, 2010, the court will take the matter under submission, and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: May 19, 2010

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