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

DENISA DIXON,)	NO. 1:11-CV-01290 AWI-JLT
Plaintiff,)	
)	ORDER VACATING HEARING
v.)	DATE OF OCTOBER 3, 2011
)	AND TAKING MATTER
B.P.D. OFFICERS WESBROOK, et al.,)	UNDER SUBMISSION
)	
Defendants.)	

Defendants have noticed for hearing and decision a motion to dismiss Plaintiff's first amended complaint. The matter was scheduled for hearing to be held on October 3, 2011. Pursuant to Local Rule 230(c), Plaintiff was required to file either an opposition or a notice of non-opposition no later than September 20, 2011. Plaintiff failed to do so.

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

Therefore, IT IS HEREBY ORDERED that the previously set hearing date of October 3, 2011 is VACATED, and no party shall appear at that time. As of October 3, 2011, the court will take the matter under submission, and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: September 29, 2011


 CHIEF UNITED STATES DISTRICT JUDGE