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

MICHAEL C. MOORE)	1:11-CV-01414 AWI GSA
)	
Plaintiff,)	ORDER VACATING
)	OCTOBER 17, 2011 HEARING
v.)	DATE AND TAKING MATTER
)	UNDER SUBMISSION
CITY OF CERES, et al.,)	
)	
Defendants.)	
)	

Currently pending before this Court is Defendants’ motion to dismiss. This motion is set for hearing on October 17, 2011, at 1:30 p.m. in Courtroom 2. Pursuant to Local Rule 230(c), Plaintiff was required to file an opposition no later than October 3, 2011. Plaintiff, however, did not file an opposition. Due to Plaintiff’s failure to file a timely opposition, he is in violation of the Local Rules. Plaintiff is therefore not entitled to be heard at oral argument in opposition to Defendants’ motion. See Local Rule 230(c).

The Court has reviewed the papers and has determined that this matter 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 17, 2011, is VACATED, and the parties shall not appear at that time. As of October 17, 2011, the Court will take the matter under submission, and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: October 12, 2011



CHIEF UNITED STATES DISTRICT JUDGE