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

LUIS SANCHEZ,  
  
Plaintiff,  
  
vs.  
  
CITY OF FRESNO, et al.,  
  
Defendants.

CASE NO. CV F 12-0428 LJO SKO  
  
**ORDER TO VACATE HEARING**  
(Docs. 32, 33.)

On September 28, 2012, plaintiff filed a first amended complaint as a matter of course under F.R.Civ.P. 15(a). As such, this Court VACATES the October 16, 2012 hearing on the defense pending F.R.Civ.P. 12 motions and will take no further action on the motions. This Court directs the clerk to term docs. 32 and 33. This Court ORDERS defendants, no later than October 19, 2012, to file a response to the first amended complaint.

IT IS SO ORDERED.

**Dated: September 29, 2012**

**/s/ Lawrence J. O'Neill**  
UNITED STATES DISTRICT JUDGE