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5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF CALIFORNIA**
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8 **ESPERANZA BOOKE, individually and**
9 **as personal representative of the Estate of**
10 **CHARLES SALINAS,**

11 **Plaintiff**

12 **v.**

13 **COUNTY OF FRESNO, et al.,**

14 **Defendants**

CASE NO. 1:13-CV-0586 AWI SAB

ORDER VACATING HEARING DATE
OF AUGUST 5, 2013 AND TAKING
MATTER UNDER SUBMISSION

15 Defendants County of Fresno, Fresno County Sherriff's Office, Sheriff Margaret Mims,
16 and Sargeant J. McCahill have filed a motion to dismiss for failure to state a claim. Doc. 24.
17 Plaintiff Esperanza Booke has filed no opposition. Plaintiff is no longer entitled to be heard at
18 oral argument. See Local Rule 230(c). The court has reviewed the papers filed and has determined
19 that the motion is suitable for decision without further oral argument. See Local Rule 230(g).

20 Therefore, IT IS HEREBY ORDERED that the previously set hearing date of August 5,
21 2013, is VACATED, and no party shall appear at that time. As of that date, the court will take the
22 matter under submission and will thereafter issue its decision.

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25 IT IS SO ORDERED.

26 Dated: July 30, 2013


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SENIOR DISTRICT JUDGE