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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CLIFFORD E. CURRY, Sr.,
Plaintiff,
v.
TOM HEID, RICHARD MEHAFFEY,
UNITED STATES,
Defendant.

No. 1:13-cv-01382 – LJO-BAM

**ORDER VACATING HEARING DATE
AND TAKING MATTER UNDER
SUBMISSION
(Doc. 12).**

Defendant United States has filed a motion to dismiss the complaint of Plaintiff Clifford Curry for lack of subject matter jurisdiction and failure to state a claim. (Doc. 9). The matter is currently set for hearing and decision on November 15, 2013, at 9:00 a.m. before the Honorable Judge Barbara A. McAuliffe. On November 5, 2013, the last of the briefing was timely received. (Docs. 14, 15). The Court has reviewed the moving papers and has determined that this matter has been adequately briefed and is suitable for decision without oral argument. Local Rule 230(g).

Therefore, IT IS HEREBY ORDERED that:

1. The previously set hearing date of November 15, 2013, is VACATED, the parties shall not appear at that time, and the Court will take the matter under submission and will thereafter issue its decision; and

