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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT DANKEMEYER,
Plaintiff,
v.
COUNTY OF CALAVERAS, et al.,
Defendants.

Case No. 1:14-cv-01013-SAB
ORDER VACATING AUGUST 13, 2014
HEARING

Plaintiff Robert Dankemeyer, proceeding pro se, filed a complaint in the Superior Court of the State of California for the County of Calaveras on April 30, 2014 alleging violations of his rights under the Eighth Amendment and state law claims. On June 26, 2014, Defendants removed this action to the Eastern District of California based on federal question jurisdiction pursuant to 28 U.S.C. § 1441. On July 1, 2014, Defendants County of Calaveras, Mack, Oldham, Phipps, Stark and Vaughn filed a motion to dismiss which is set for a hearing on August 13, 2014. On July 31, 2014, Defendant Beckham filed a motion to dismiss which is set for a hearing on September 3, 2014. Plaintiff did not file a timely opposition to Defendants' County of Calaveras, Mack, Oldham, Phipps, Stark and Vaughn's motion to dismiss as required by local rule of this Court. See Local Rule 230(c) (opposition to a motion shall be filed no less than fourteen days prior to the hearing date and a party who fails to file a timely opposition is not entitled to be heard in opposition at oral argument).

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The Court, having reviewed the record, finds Defendants County of Calaveras, Mack, Oldham, Phipps, Stark and Vaughn’s motion to dismiss suitable for decision without oral argument. See Local Rule 230(g). Accordingly, the previously scheduled hearing set on August 13, 2014 is HEREBY VACATED and the parties will not be required to appear at that time.

IT IS SO ORDERED.

Dated: August 7, 2014


UNITED STATES MAGISTRATE JUDGE