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

BILL BRADY,

No. CIV S-06-2298-RRB-CMK

Plaintiff,

vs.

ORDER

MIKE KELPER, et al.,

Defendants.

_____ /

Plaintiff, proceeding pro se, brings this civil action regarding seizure of cattle.

Pending before the court is defendants’ motion for summary judgment, on calendar for oral argument on January 29, 2009. Plaintiff has not filed an opposition to the motion.

Pursuant to Eastern District of California Local Rules, any opposition “to the granting of the motion shall be in writing and shall be filed with the Clerk not less than fourteen (14) days preceding the noticed . . . hearing date.” See Local Rule 78-230(c). The local rules further provide that “[n]o party will be entitled to be heard in opposition to a motion at oral arguments if opposition to the motion has not been timely filed by that party.” Id.

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1 Accordingly, and pursuant to Local Rule 78-230(h), the hearing scheduled for
2 January 29, 2009, at 10:00 a.m. before the undersigned in Redding, California, is hereby taken
3 off calendar and the matter is submitted on the record and briefs.

4 IT IS SO ORDERED.

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6 DATED: January 21, 2009

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8 **CRAIG M. KELLISON**
9 UNITED STATES MAGISTRATE JUDGE
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