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

EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,

Plaintiff,

No. CIV S-08-1470 MCE DAD

v.

SIERRA PACIFIC INDUSTRIES,

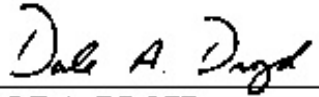
Defendant.

ORDER

On September 24, 2009, plaintiff filed a motion to compel and noticed the motion for hearing before the undersigned on October 16, 2009. By minute order filed September 24, 2009, the hearing was vacated due to the court's unavailability, and plaintiff was directed to re-notice the motion for hearing on a date other than October 16, 2009 and October 23, 2009. More than thirty days have passed, and plaintiff has not re-noticed the motion. Accordingly, plaintiff's motion to compel (Doc. No. 29) is denied without prejudice.

IT IS SO ORDERED.

DATED: October 26, 2009.

  
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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

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