

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

CARLOS CASTRO,

Plaintiff,

No. C 98-04877 WHA

v.

CAL TERHUNE, Director, CALIFORNIA
DEPARTMENT OF CORRECTIONS,
BONNIE G. GARIBAY, J. BATCHELOR,
S. C. WOLHWEND, A. SCRIBNER, J.
STOKES, M. YARBOROUGH, L. HOOD,
C. CAMPBELL, A. M. GONZALEZ, M.
AYALA, E. DERUSHA, c/o ROBERT LL.
AYERS, Warden, J. MARTINEZ,

Defendants.

**ORDER GIVING NOTICE
OF BENCH TRIAL
OPPOSITION DEADLINE**

Pursuant to Rule 39 and due to the fact that the only remaining request for relief is injunctive and declaratory relief, the Court has **ORDERED** that the trial set for **DECEMBER 14, 2009, AT 7:30 AM**, be a bench trial. If plaintiff opposes the change to a bench trial, by **NOON ON OCTOBER 30, 2009**, plaintiff shall submit an opposition submission showing that there is a federal right to a jury trial.

IT IS SO ORDERED.

Dated: October 29, 2009.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE

United States District Court
For the Northern District of California