

United States District Court  
For the Northern District of California

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

VICTOR GUERRERO,  
Plaintiff,

No. C 13-05671 WHA

v.

CALIFORNIA DEPARTMENT OF  
CORRECTIONS AND REHABILITATION;  
STATE PERSONNEL BOARD,

**ORDER DENYING MOTION  
TO SHORTEN TIME;  
VACATING HEARING ON  
MOTION FOR CONTEMPT**

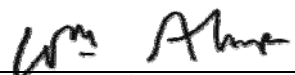
Defendants.

Defendant CDCR has filed a motion with our court of appeals to stay the judgment of this Court pending appeal. In that motion, CDCR stated: "CDCR intends to place Appellee on unpaid-leave status if he successfully completes the CDCR training academy, and defer swearing him in as a peace officer, unless this Court orders otherwise" (Plaintiff Exh. A at 8). In response, plaintiff Victor Guerrero filed a motion in the district court for contempt. Our court of appeals has expedited the briefing schedule on CDCR's stay motion such that all briefs will be in by the end of this week (well before plaintiff is set to graduate the training academy on April 8).

At least for the moment, the issue of CDCR complying with this Court's judgment is actively under consideration by our court of appeals. Out of respect for that process, plaintiff's contempt motion shall be **HELD IN ABEYANCE** until our court of appeals has ruled. Plaintiff's motion to shorten time is **DENIED**. The hearing set for April 28 is **VACATED**.

**IT IS SO ORDERED.**

Dated: March 30, 2016.

  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE