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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

RODNEY JAMAAR-DIONE SMITH,

Plaintiff,

vs.

FORMER DEPUTY J. COOPER, FORMER
DEPUTY Z. L. GRIFFITH, FORMER
DEPUTY G. MORA, SANTA RITA
COUNTY JAIL,

Defendants.

Case No: C 09-2263 SBA

**ORDER VACATING MOTION
HEARING**

Dkt. 34

Plaintiff, who is currently incarcerated at Santa Rita Jail, filed the instant action pursuant to 42 U.S.C. § 1983. On November 10, 2010, the Court ordered service of the Complaint and directed Defendants to file a motion for summary judgment. Dkt. 8. Defendants filed their motion as directed by the Court and the motion is now fully briefed. The Court, in its discretion, finds this matter suitable for resolution without oral argument. Fed. R. Civ. P. 78(b); N.D. Cal. Civ. L.R. 7-1(b). Accordingly,

IT IS HEREBY ORDERED THAT the hearing on Defendants' motion for summary judgment scheduled for December 6, 2011 is VACATED. The Court will resolve the motion in a separate order.

IT IS SO ORDERED.

Dated: November 30, 2011


SAUNDRA BROWN ARMSTRONG
United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

RODNEY JAMAAR DIONE SMITH,

Plaintiff,

v.

DEPUTY J COOPER et al,

Defendant.

_____ /

Case Number: CV09-02263 SBA

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on November 30, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Rodney Jamaar-Dione Smith BCD323
Alameda County Jail - Santa Rita
5325 Broder Blvd.
Dublin, CA 94568

Dated: November 30, 2011

Richard W. Wieking, Clerk

By: LISA R CLARK, Deputy Clerk