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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

SERGIO ARAIZA,

Plaintiff,

vs.

CITY OF SAN DIEGO and KELENE
MUNRO,

Defendants.

CASE NO. 07 CV 1921 JM (WMc)


**ORDER DENYING JOINT
MOTION TO CONTINUE
HEARING DATE OF MOTION
FOR SUMMARY JUDGMENT OR,
IN THE ALTERNATIVE,
PARTIAL SUMMARY
JUDGMENT**

Doc. No. 50

Plaintiff initiated this action under 42 U.S.C. § 1983 on October 1, 2007. Defendants filed a Motion for Summary Judgment or, in the Alternative, Partial Summary Judgment on November 21, 2008. (Doc. No. 41.) The date set for hearing on this matter was continued to February 20, 2009 following the parties' joint stipulation. (Doc. No. 46.) Pending before the court is the parties' second request to continue the hearing date. However, the parties have presented no circumstances to the court which would warrant a finding of good cause. Fed. R. Civ. P. 6(b). Therefore, the joint motion to continue the hearing date (Doc. No. 50) is **DENIED** without prejudice.

IT IS SO ORDERED.

DATED: February 5, 2009



Hon. Jeffrey T. Miller
United States District Judge