

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JAN 14 2009

MOLLY C. DWYER, CLERK OF COURT
U.S. COURT OF APPEALS

KEVIN VANGINDEREN,

Plaintiff - Appellant,

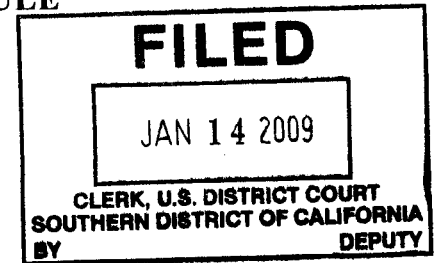
v.

CORNELL UNIVERSITY; BERT
DEIXLER,

Defendants - Appellees.

No. 09-55053
D.C. No. 3:08-cv-00736-BTM-
JMA
Southern District of California,
San Diego

**TIME SCHEDULE
ORDER**



The parties shall meet the following time schedule:

- Tue., January 20, 2009** Appellant/petitioner shall notify appellee/respondent of transcripts to be ordered, pursuant to 9th Cir. R. 10-3.1(a);
- Thu., January 29, 2009** Appellee/respondent shall notify appellant/petitioner of any additional transcripts needed, pursuant to 9th Cir. R. 10-3.1(b);
- Mon., February 9, 2009** Appellant/petitioner shall file transcript order form with the district court and make payment arrangements with court reporter, pursuant to 9th Cir. R. 10-3.1;
- Mon., April 27, 2009** Appellant/petitioner's opening brief and excerpts of record shall be served and filed pursuant to FRAP 32 and 9th Cir. R. 32-1;
- Tue., May 26, 2009** The brief of appellee/respondent shall be filed and served, pursuant to FRAP 32 and 9th Cir. R. 32-1

The optional appellant/petitioner reply brief shall be filed and served within fourteen days of service of the appellee/respondent's brief, pursuant to FRAP 32 and 9th Cir. R. 32-1.

Failure of the appellant to comply with the Time Schedule Order will result in automatic dismissal of the appeal. 9th Cir. R. 42-1

Appellants/Petitioners without representation of counsel in a prisoner appeal may have their case submitted on the briefs and record without oral argument, pursuant to FRAP 34(a). Within 10 days of the filing of the appellant's opening brief, parties may file a statement setting forth the reasons why, in the opinion of the parties, oral argument should be heard.

FOR THE COURT:

Molly C. Dwyer
Clerk of Court

Gerald Rosen
Deputy Clerk