

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

JOHN DOE,

Plaintiff,

vs.

No. CV 08 1041 MCA LFG

CITY OF ALBUQUERQUE,

Defendant.

**NOTICE OF UNAVAILABILITY**

COMES NOW PLAINTIFF, through his undersigned counsel, and respectfully submits this pleading to notify the Court and Defendant that Plaintiff's counsel will be out of state and unavailable during the following period:

**December 26, 2008-January 2, 2009.**

Plaintiff respectfully requests that no hearings or other matters be scheduled in this cause during this period.

Respectfully submitted,

ACLU of NEW MEXICO

/s/ George Bach 12/12/08

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Brendan Egan  
George Bach  
Staff Attorney  
P.O. Box 566  
Albuquerque, NM 87103  
(505) 243-0046

Facsimile (505) 266-5916

Maureen A. Sanders  
Co-Legal Director  
Sanders & Westbrook, PC  
102 Granite Avenue, NW  
Albuquerque, NM 87102  
(505) 243-2243  
OF COUNSEL

Attorneys for Plaintiff

I HEREBY CERTIFY that on December 12, 2008, I filed the foregoing pleading electronically through the CM/ECF system and caused the following parties and/or counsel to be served electronically through the CM/ECF system:

Gregory S. Wheeler  
Peter H. Pierotti  
Assistant City Attorneys  
P.O. Box 2248  
Albuquerque, NM 87103

Attorneys for Defendant

/s/ Submitted Electronically 12/12/08  
George Bach