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2 IN THE UNITED STATES DISTRICT COURT
3 FOR THE EASTERN DISTRICT OF CALIFORNIA

4 BARRY A. HAZLE, JR.,)
5)
6 Plaintiff,)
7 v.)
8 MITCH CROFOOT, individually and as)
9 Parole Officer of the CDCR; BRENDA)
10 WILDING, individually and as Unit)
11 Supervisor of the CDCR; MATTHEW)
12 CATE, individually and as Secretary)
13 of the CDCR; SCOTT KERNAN,)
14 individually and as Chief Deputy)
15 Secretary of Adult Operations of)
16 the CDCR; TIM HOFFMAN, individually)
17 and as Director of the Division of)
18 Adult Parole Operations in)
19 California; DEPUTY COMMISSIONER)
20 JALLINS, individually and as)
21 deputy commissioner; and WESTCARE,)
22 Defendants.)
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27)

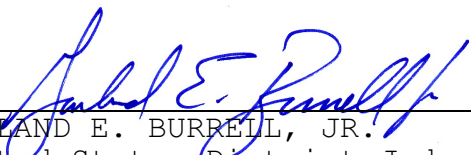
2:08-cv-02295-GEB-KJM
ORDER GRANTING DEFENDANTS'
MOTION FOR PARTIAL SUMMARY
JUDGMENT*

17 Defendants Matthew Cate, Mitch Crofoot, Richard Jallins,
18 Scott Kernan, and Brenda Wilding ("Defendants") filed a motion for
19 partial summary judgment on Plaintiff's claim for injunctive relief
20 under California Code of Civil Procedure section 526a. Defendants
21 argue, inter alia, California Department of Corrections and
22 Rehabilitation ("CDCR") Directive No. 08-06 renders this claim moot.
23 Plaintiff responds indicating that the motion could be resolved based
24 on an evidentiary record developed in an earlier decided motion by
25 stating: "Plaintiff treats the issues in defendants' motion as having
26 already been resolved" by the Court's prior order granting Defendant
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28 * This matter is deemed suitable for decision without oral
argument. E.D. Cal. R. 230(g).

1 Westcare's motion for partial summary judgment on Plaintiff's section
2 526a claim, in which the Court held the claim was mooted by CDCR
3 Directive No. 08-06. (Opp'n 2:2-3.) Since Plaintiff does not oppose
4 Defendants' arguments, including the argument that the claim is moot
5 and for the reasons stated in the Court's April 7, 2010 order granting
6 partial summary judgment in favor of Westcare, Defendants' motion for
7 summary judgment is granted.

8 Dated: August 10, 2010

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12 GARLAND E. BURRELL, JR.
13 United States District Judge
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