

JUL 20 2010

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ALLEN E. ORR,

Plaintiff - Appellant,

v.

ORANGE COUNTY SHERIFF'S
DEPARTMENT; et al.,

Defendants - Appellees.

No. 08-56364

D.C. No. 8:07-cv-00434-AG-MLG

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Andrew J. Guilford, District Judge, Presiding

Submitted June 29, 2010**

Before: ALARCÓN, LEAVY, and GRABER, Circuit Judges.

Allen E. Orr died while this appeal was pending, and his apparent next-of-kin have not responded to the Court's order informing them that if they wish to

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

prosecute Orr's appeal, they must file a notice of appearance. Therefore, the appeal is dismissed. *See* Fed. R. App. P. 43.

DISMISSED.