

MAR 30 2012

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

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

AUGUSTA MILLENDER; et al.,

Plaintiffs - Appellees,

v.

COUNTY OF LOS ANGELES; et al.,

Defendants - Appellants,

and

LOS ANGELES COUNTY SHERIFF'S
DEPARTMENT; et al.,

Defendants.

No. 07-55518

D.C. No. CV-05-02298-DDP
Central District of California,
Los Angeles

ORDER

On Remand from the United States Supreme Court

Before: KOZINSKI, Chief Judge, SILVERMAN, GRABER, FISHER,
TALLMAN, RAWLINSON, BYBEE, CALLAHAN, M. SMITH, and IKUTA,
Circuit Judges.*

In light of the Supreme Court's decision in *Messerschmidt v. Millender*, 132
S.Ct. 1235 (2012), the district court's determination that officers Lawrence and

* Judge Rymer passed away before the Supreme Court issued its
decision in this case.

Messerschmidt are not entitled to qualified immunity is REVERSED, and the case is remanded for further proceedings consistent with *Messerschmidt*.

* Judge Rymer passed away before the Supreme Court issued its decision in this case.