

**FOR PUBLICATION**  
**UNITED STATES COURT OF APPEALS**  
**FOR THE NINTH CIRCUIT**

TYLER CHASE HARPER, a minor, by and through his parents Ron and Cheryl Harper; RON HARPER; CHERYL HARPER; KESLIE K. HARPER, a minor, by and through her parents Ron and Cheryl Harper,

*Plaintiffs-Appellants,*

v.

POWAY UNIFIED SCHOOL DISTRICT; JEFF MANGUM; LINDA VANDERVEEN; PENNY RANFTYLE; STEVE McMILLAN; ANDY PATAPOW, All Individually and in their official capacity as Members of the Board of the Poway Unified School District; DONALD A. PHILLIPS, Individually, and in his official capacity as Superintendent of the Poway Unified School District; SCOTT FISHER, Individually and in his official capacity as Principal of Poway High School; LYNELL ANTRIM, Individually and in her official capacity as Assistant Principal of Poway High School; ED GILES, Individually and in his official capacity as Vice Principal of Poway High School; DAVID LEMASTER, Individually and in his official capacity as Teacher of Poway High School; DOES 1 THROUGH 20, INCLUSIVE,

*Defendants-Appellees.*

No. 04-57037

D.C. No.  
CV-04-01103-JAH  
Southern District  
of California,  
San Diego

ORDER

On Remand From The United States Supreme Court

Filed April 23, 2007

Before: Stephen Reinhardt, Alex Kozinski, and  
Sidney R. Thomas, Circuit Judges.

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**ORDER**

Pursuant to the instructions of the Supreme Court, plaintiff  
Tyler Chase Harper's appeal is dismissed as moot.



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