

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JAN 24 2012

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

EDWARD PERUTA; et al.,

Plaintiffs - Appellants,

v.

COUNTY OF SAN DIEGO and
WILLIAM D. GORE, individually and in
his capacity as Sheriff,

Defendants - Appellees.

No. 10-56971

D.C. No. 3:09-cv-02371-IEG-BGS
Southern District of California,
San Diego

ORDER

Before: Peter L. Shaw, Appellate Commissioner

The en banc decision in *Nordyke v. King*, No. 07-15763 may contain legal analysis that would assist in the resolution of this appeal. Accordingly, appellants' motion for reconsideration of the December 20, 2011 order staying this appeal pending the en banc decision in *Nordyke* is denied.

/Appellate Commissioner