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Attorney for Redondo Beach Defendants

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

CHARLES NICHOLS,

Plaintiff,

v.

EDMUND G. BROWN, JR., in his  
official capacity as Governor of  
California, KAMALA D. HARRIS,  
Attorney General, in her official  
capacity as Attorney General of  
California, CITY OF REDONDO  
BEACH, CITY OF REDONDO  
BEACH POLICE DEPARTMENT,  
CITY OF REDONDO BEACH  
POLICE CHIEF JOSEPH  
LEONARDI, and DOES 1 to 10,

Defendants.

**CASE NO: 2:11-cv-09916-SJO-SS**

**[PROPOSED] ORDER GRANTING  
DEFENDANTS' MOTION TO  
DISMISS FOR LACK OF SUBJECT  
MATTER JURISDICTION AND  
FAILURE TO STATE A CLAIM  
UPON WHICH RELIEF CAN BE  
GRANTED  
(FRCP 12(b)(1) and 12(b)(6))**

Date: March 6, 2012  
Time: 10:00 a.m.  
Location: Courtroom 23 3<sup>rd</sup> Floor  
Judge: Hon. Suzanne H. Segal  
Date Action Filed: November 20, 2011

**ORDER**

Defendants City of Redondo Beach, Redondo Beach Police Department, and Redondo Beach Police Chief Joseph Leonardi (collectively “Redondo Beach Defendants”)’s Motion to Dismiss the complaint in this matter came on regularly for hearing before this Court on March 6, 2012.

Having considered the moving and opposition papers, arguments of counsel, and all other matters presented to the Court, the Court finds that Plaintiff has failed to allege sufficient facts establishing Article III standing and has also failed to state a claim upon which relief may be granted.

**IT IS HEREBY ORDERED** that Redondo Beach Defendants’ Motion to Dismiss is **GRANTED**. The Complaint in this case is ordered dismissed [with] [without] prejudice.

**IT IS SO ORDERED.**

Date: \_\_\_\_\_, 2012

\_\_\_\_\_  
Hon. James S. Otero  
United States District Court

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BEACH, CITY OF REDONDO  
BEACH POLICE DEPARTMENT,  
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**PROOF OF SERVICE**

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(FRCP 12(b)(1) and 12(b)(6))**

**IT IS HEREBY CERTIFIED THAT:**

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 415 Diamond Street, Redondo Beach, California 90277-0639.

I am not a party to the above-entitled action. I have caused service of:  
**[PROPOSED] ORDER GRANTING DEFENDANTS' MOTION TO DISMISS  
FOR LACK OF SUBJECT MATTER JURISDICTION AND FAILURE TO  
STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED  
(FRCP 12(b)(1) and 12(b)(6))**

on the following party by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

Electronically filed documents have been served conventionally by the filer to:

Charles Nichols,  
P.O. Box 1302  
Redondo Beach, CA 90278  
Plaintiff In Pro Per

Edmun G. Brown, Governor  
Office of the Governor  
300 South Spring Street  
Los Angeles, CA 90013  
Defendant

Kamala D. Harris, Attorney General  
Office of the Attorney General  
300 South Spring Street  
Los Angeles, CA 90013  
Defendant

I declare under penalty of perjury that the foregoing is true and correct.  
Executed on January 30, 2012.

/s/ Jennifer Espinoza