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VENTURA COUNTY SHERIFF'S OFFICE
7 (*erroneously sued as Ventura County Sheriffs*
8 *Department*)

9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**
11

12 SIGITAS RAULINAITIS,

13 Plaintiff,

14 v.

15 VENTURA COUNTY SHERIFFS
DEPARTMENT,

16 Defendant.
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18
19
20

CASE NO. CV13-02605-MAN

**[PROPOSED] ORDER GRANTING
MOTION FOR JUDGMENT ON
THE PLEADINGS OR, IN THE
ALTERNATIVE, FOR SUMMARY
JUDGMENT**

[Filed concurrently with motion for
judgment on the pleadings and request
for judicial notice]

Date: March 11, 2014
Time: 10:00 a.m.
Ctmm: 580 Roybal

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22 The Honorable Margaret A. Nagle, United States Magistrate Judge acting as
23 United States District Judge in this action, pursuant to the May 9, 2013, consent of
24 the parties to proceed before her pursuant to 28 U.S.C. §636(c) and Federal Rule of
25 Civil Procedure 73(b), hereby GRANTS the motion for judgment on the pleadings or,
26 in the alternative, for summary judgment of defendant Ventura County Sheriff's
27 Office, erroneously sued and served as Ventura County Sheriffs Department.
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1 1. The Court has read and considered the memorandum of points and
2 authorities in support of the motion for judgment on the pleadings or, in the
3 alternative, for summary judgment;

4 2. The Court has considered and grants the defendant's request for judicial
5 notice filed concurrently with the motion for judgment on the pleadings or, in the
6 alternative, for summary judgment;

7 3. The Court has considered the opposition, if any, of the plaintiff;

8 4. The Court has considered the reply, if any, of the moving party/defendant;

9 5. The Court has comprehensively evaluated the issues, facts, and law in its
10 previous order denying the plaintiffs' motion for summary judgment, website docket
11 entry 28, filed on December 31, 2013;

12 6. Based upon this state of the pleadings, the Court rules that the action
13 against the defendant, Ventura County Sheriff's Office, which is a single cause of
14 action for a purported violation of the Second Amendment under 42 U.S.C. §1983, is
15 untenable and not viable against the defendant for the reasons stated in the Court's
16 order denying the plaintiff's motion for summary judgment and the reasons articu-
17 lated in defendant's moving papers.

18 WHEREFORE, the Court GRANTS the motion and dismisses the defendant,
19 Ventura County Sheriff's Office, erroneously sued and served as the Ventura County
20 Sheriffs Department, with prejudice. All further proceedings in the action are
21 therefore vacated as moot.

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23 Dated: _____

MARGARET A. NAGLE
United States Magistrate Judge
acting as United States District Judge