

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10

11 SIGITAS RAULINAITIS,

12 Plaintiff,

13 v.

14 VENTURA COUNTY SHERIFFS
15 DEPARTMENT,

16 Defendant.
17

CASE NO. CV13-02605-MAN

**NOTICE TO CHIEF JUDGE OF
FAILURE TO RENDER DECISION**

- 18 1. The complaint was filed on April 15, 2013.
19 2. Defendant answered on May 6, 2013.
20 3. Statements of consent to proceed before the assigned Magistrate were
21 filed in the first week of May, 2013.
22 4. The parties filed a status report on May 28, 2013, in which they proposed
23 proceeding by filing the equivalent of cross-motions for summary judgment (utilizing
24 extrinsic evidence and filing points and authorities, but without statements of fact and
25 conclusions of law, and according to an agreed-upon briefing schedule differing from
26 the Local Rules).
27 5. The Magistrate filed an order approving the plan on May 31, 2013.

28 ///

WISOTSKY, PROCTER & SHYER
ATTORNEYS AT LAW
300 ESPLANADE DRIVE, SUITE 1500
OXNARD, CALIFORNIA 93036
TELEPHONE (805) 278-0920

6. Each side filed its briefs, and briefing was completed on June 28, 2013.

7. In accordance with the stipulated order, the matter then stood submitted.

8. The parties heard nothing from the Court thereafter.

9. The parties filed a joint Request for Ruling on October 28, 2013, but still heard nothing from the Court.

10. The parties filed a joint Request for Ruling addressed to the Chief Judge on December 2, 2013, in accordance with Central District Local Rule 83-9.4.

11. The Court issued a minute order on December 3, 2013, partially blaming the parties' briefing for the delay and promising a decision on the pending cross motions for summary judgment by December 31, 2013.

12. No decision was issued, either by that deadline, or otherwise.

13. On December 31, 2013, at 6:44 p.m., counsel e-mailed the Court's clerk, inquiring about a ruling, but received no ruling nor any response.

14. While the issues at stake are important and not of easy resolution, they are not terribly complicated. They involve refusal of a Sheriff to issue the plaintiff a concealed weapons permit.

15. With respect to the Court's criticism of the parties' briefing, the parties respectfully disagree. The briefs focused the issues, cited a plethora of appellate and statutory authority, and submitted declarations and exhibits. Further, the Court's minute order did not specify the nature of the "important legal issue" or any details of which statutory or legislative materials were not submitted.

16. The parties hereby advise the Chief Judge that no ruling has been issued and hereby seek guidance concerning how to proceed.

Dated: January 3, 2014



Jeffrey Heid
Attorney for Defendant

Dated: January 3, 2014

/s/
Jonathan Birdt
Attorney for Plaintiff