

FILED

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

AUG 10 2010

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

SANDRA HERRERA; et al.,

Plaintiffs - Appellees,

v.

PIERCE COUNTY,

Defendant - Appellant.

No. 09-35884

DC # 3:95-cv-05025-RJB-JKA
Western Washington
(Tacoma)

ORDER

Pursuant to the court's August 2, 2010, order, this appeal is deemed dismissed voluntarily. Fed. R. App. P. 42(b). Dismissal is without prejudice to appellant's reasserting its claims should the issues that gave rise to the appeal reoccur.

This order served on the district court shall act as and for the mandate of this court.

FOR THE COURT:

By: Chris Goelz
Circuit Mediator

8/10/10/cg/mediation