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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA


Brenda Louise Davis,  
Plaintiff,  
vs.  
Michael J. Astrue, Commissioner of the  
Social Security Administration,  
Defendant.

No. CV 07-355-TUC-FRZ (JM)

**ORDER**

Pending before the Court is Magistrate Judge Marshall's Report and Recommendation whereby she recommends that the Court notify Plaintiff that this case will be dismissed unless Plaintiff shows good cause to avoid dismissal. As the Report and Recommendation highlights, the period to effect service in this case has expired and more than 6 months have passed whereby Plaintiff has failed to take any action to prosecute this case; as such, this case is subject to dismissal. No objections were filed to the Report and Recommendation. The Report and Recommendation (Doc. #5) is **accepted and adopted**. Unless Plaintiff shows good cause by no later than **4/24/09** as to why this case should not be dismissed, this case will be dismissed without further notice to Plaintiff.

DATED this 13<sup>th</sup> day of April, 2009.

  
FRANK R. ZAPATA  
United States District Judge