

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

SABRINA ANN WAGONER

PLAINTIFF

v.

CIVIL NO. 12-2226

MICHAEL J. ASTRUE, Commissioner  
Social Security Administration

DEFENDANT

**ORDER**

On February 8, 2013, Plaintiff filed a motion for an extension of time to file her brief. (Doc. 16). Plaintiff's counsel stated the brief was due on February 21, 2013. Plaintiff's counsel stated that the reason for the request was based upon the fact that Plaintiff's counsel had a mediation in another matter the date the brief was due. Plaintiff's counsel stated Defendant had no objection to this request. Plaintiff requested that the Court extend the brief due date to March, 18, 2013.

On February 8, 2013, the Court granted Plaintiff's motion and extended the brief deadline to March 11, 2013. (Doc. 17). The Court also put Plaintiff's counsel on notice that Plaintiff's counsel's busy practice, in and of itself, may not always constitute "good cause."

On February 22, 2013, Plaintiff's counsel filed a motion to reconsider. (Doc. 18). In this motion, Plaintiff's counsel states that he had two social security briefs due, one in a separate matter from the case captioned above, on the same date, and that due to the transcript size in one

of the cases he had requested that the briefs be due one week apart.<sup>1</sup>

The Court will grant the motion in this case with the admonition to Plaintiff's counsel that his busy practice, in and of itself, may not always constitute "good cause." Plaintiff's brief will now be **due on March 18, 2013**, and the Defendant's brief will be **due 30 days from this date**.

IT IS SO ORDERED this 25th day of February, 2013.

*/s/ Erin L. Setser*

\_\_\_\_\_  
HON. ERIN L. SETSER  
UNITED STATES MAGISTRATE JUDGE

---

<sup>1</sup>The Court notes that Plaintiff's counsel did not discuss the transcript size of these two social security cases in the original motion for extension. Plaintiff's counsel called the Court and spoke to a judicial staff member *after* the Court had issued the Order granting the extension. At that time, Plaintiff's counsel was informed that any requests for reconsideration must be done by way of motion.