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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

BOBBY SMITH,)	NO. CV 12-0823 FMO
Plaintiff,)	
v.)	ORDER TO SHOW CAUSE
MICHAEL J. ASTRUE,)	
COMMISSIONER OF SOCIAL)	
SECURITY ADMINISTRATION,)	
Defendant.)	

Pursuant to the court's Order Re: Further Proceedings, filed on September 7, 2012 ("Court's Order of September 7, 2012"), plaintiff's Motion for Summary Judgment ("Motion") was due on October 9, 2012. It appears from the record that plaintiff's Motion has not been filed as required by the Court's Order of September 7, 2012.

Accordingly, IT IS HEREBY ORDERED THAT, on or before **October 26, 2012**, plaintiff shall show cause, if any there be, why this action should not be dismissed for plaintiff's failure to prosecute this action and/or to comply with the Court's Order of September 7, 2012. **Plaintiff shall attempt to show such cause in writing by filing a declaration signed under penalty of perjury.¹ In particular, plaintiff's declaration must address why the Motion for Summary**

¹ Pursuant to Rule 78 of the Federal Rules of Civil Procedure and Local Rule 7-15, oral argument on this Order to Show Cause will not be heard unless ordered by the court. Upon the filing of a Response, the Order to Show Cause will stand submitted.

1 Judgment has not been filed, even though it was due three days ago. Failure timely to file
2 such a declaration or to show cause as ordered will result in dismissal of this action for
3 failure to prosecute and/or to comply with a court order.

4 Filing of the Motion for Summary Judgment shall be a satisfactory response to the
5 Order to Show Cause. However, absent exceptional circumstances, no extensions will be
6 granted for the filing of the Motion for Summary Judgment.

7 IT IS SO ORDERED.

8 Dated this 12th day of October, 2012.

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10 /s/
11 _____
12 Fernando M. Olguin
13 United States Magistrate Judge
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