

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

<b>Case No.</b>	2:16-cv-02012-GJS	<b>Date</b>	May 4, 2017
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<b>Title</b>	Pamela Hawkins v. Nancy A. Berryhill
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<b>Present:</b>	Hon. Gail J. Standish, United States Magistrate Judge
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E. Carson

N/A

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiff:

Attorneys Present for Defendant:

None present

None present

**Proceedings:** (IN CHAMBERS) Order to Show Cause

On March 23, 2016, Plaintiff filed a Complaint seeking review of Defendant Commissioner of Social Security's ("Defendant")<sup>1</sup> denial of her application for Supplemental Security Income. [Dkt. 1.] On July 7, Defendant filed an Answer and lodged the administrative record. [Dkts. 14, 15.] Pursuant to the Court's initial order, Plaintiff's Opening Memorandum ("Memorandum") was due on August 11, 2016. [See Dkt. 9.] On August 9, 2016, the Court granted Plaintiff's request to extend her deadline to November 7, 2016. [Dkt. 18.] On October 12, 2016, the Court granted Plaintiff's second request to extend her deadline to November 16, 2016. [Dkt. 20.] Plaintiff did not file her Memorandum or a request for extension of time by the November 16, 2016 deadline. Since that date, Plaintiff has engaged in a pattern of missing court deadlines and submitting untimely extension requests.

On November 24, 2016, eight days after the deadline, Plaintiff filed a belated request to extend her deadline to January 6, 2017, which the Court granted. [Dkts. 21, 22.] Plaintiff filed another untimely extension request on January 26, 2017; twenty days after the January 6 deadline had passed, asking for an extension to March 6, 2017. [Dkt.

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<sup>1</sup> The Court notes that Nancy A. Berryhill became the Acting Commissioner of the Social Security Administration on January 23, 2017. Accordingly, pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, the Court orders that the caption be amended to substitute Nancy A. Berryhill for Carolyn W. Colvin as the defendant in this action.

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23.] The Court again granted this request. [Dkt. 24.] After missing the March 6 deadline, Plaintiff filed a third untimely extension request on March 24, 2017, asking to extend her deadline to April 24, 2017. [Dkt. 25.] This was Plaintiff's fifth request for an extension of time. The Court again granted this untimely request. [Dkt. 26.]

It is now 10 days past the April 24 deadline for filing a Memorandum and Plaintiff has neither filed her Memorandum nor request any further extension of time to do so. Thus, it is unclear whether Plaintiff intends to pursue this action.

Accordingly, Plaintiff is ORDERED TO SHOW CAUSE why this action should not be dismissed without prejudice, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, based upon her failures to comply with the Court's Orders and to file her Memorandum. **By no later than May 25, 2017**, Plaintiff shall file a response to this Order explaining her noncompliance. Alternatively, Plaintiff may satisfy her response obligation by simply filing her Memorandum; indeed, this course of action is preferable, as it will move this case forward.

Plaintiff is cautioned that the failure to comply with this Order To Show Cause on a timely basis – whether by filing a response or, preferably, filing her Memorandum – will result in the dismissal of this action under Rule 41(b).

**IT IS SO ORDERED.**