

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. 2:16-cv-02940-DMG-SK Date June 1, 2016

Title Whitney B Spencer v. Social Security Administration

Present: The Honorable Steve Kim

Marc Krause

n/a

Deputy Clerk

Court Smart / Recorder

Attorneys Present for Plaintiff:

Attorneys Present for Defendant:

None present

None present

**Proceedings:** (IN CHAMBERS) ORDER TO SHOW CAUSE

On May 6, 2016, Defendant filed a notice of motion and motion to dismiss set for hearing on June 8, 2016. (Dkt. 7). The motion was based on lack of subject matter jurisdiction, improper service of process, and failure to state a claim upon which relief may be granted. (*Id.*). Pursuant to the Local Rules, any opposition was due on May 18, 2016. *See* L.R. 7-9. As of the date of this order, Plaintiff has not filed an opposition. “The failure to file any required document, or the failure to file it within the deadline, may be deemed consent to the granting or denial of the motion.” L.R. 7-12.

Accordingly, Plaintiff is ORDERED TO SHOW CAUSE on or before **June 15, 2016** why Defendant’s motion should not be granted and this action dismissed. Plaintiff may discharge this order by filing an opposition to the motion to dismiss. If Plaintiff files an opposition on or before June 15, 2016, Defendant may file an optional reply on or before June 22, 2016, at which time the matter will be taken under submission.

**Plaintiff is advised that the failure to file a timely response to this order will result in a recommendation that this action be dismissed for failure to comply with a court order and failure to prosecute.** Fed. R. Civ. P. 41(b); L.R. 41-1. If Plaintiff no longer wishes to pursue this action, she may voluntarily dismiss the action pursuant to Federal Rule of Civil Procedure 41(a) by filing a “Notice of Dismissal,” attached. The Clerk is directed to provide Plaintiff with a Notice of Dismissal Form (CV-009).

The June 8, 2016 hearing date is VACATED.