

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	2:16-cv-07352-GJS	Date	June 6, 2017
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Title	Cecil Cohn v. Nancy A. Berryhill
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Present:	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 September 29, 2016, Plaintiff filed a Complaint seeking review of Defendant Commissioner of Social Security's ("Defendant")¹ denial of her application for Supplemental Security Income and Disability Insurance Benefits. [Dkt. 1.] On January 17, 2017, 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 February 16, 2017. [See Dkt. 9.]

On February 22, 2016, six days after the deadline for filing a Memorandum, Plaintiff filed a belated request to extend her deadline to April 19, 2017, which the Court granted. [Dkts. 16, 17.] Plaintiff filed another untimely extension request on April 26, 2017; seven days after the April 19 deadline had passed, asking for an extension to May 31, 2017. [Dkt. 18.] The Court again granted this request. [Dkt. 19.]

It is now six days past the May 31 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 that Plaintiff intends to pursue this action.

¹ 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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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 Procedure, based upon her failures to comply with the Court's Orders and to file her Memorandum. **By no later than June 27, 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.