

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
CIVIL MINUTES—GENERAL

Case No. **CV 17-8658-PA (KK)**

Date: August 6, 2018

Title: ***Asik Manokzadeh v. Nancy A. Berryhill***

Present: The Honorable **KENLY KIYA KATO, UNITED STATES MAGISTRATE JUDGE**

**DEB TAYLOR**

**Not Reported**

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Present

None Present

**Proceedings: (In Chambers) Order to Show Cause Why Action Should Not Be Dismissed For Failure to Prosecute and Comply With Court Orders**

**I.  
BACKGROUND**

On November 30, 2017, Plaintiff Asik Manokzadeh (“Plaintiff”) filed a Complaint challenging the denial of his application for Disability Insurance Benefits and Title XVI Supplemental Security Income by the Commissioner of the Social Security Administration (“Defendant”). ECF Docket No. (“Dkt.”) 1.

On December 4, 2017, the Court issued a Case Management Order (“CMO”) setting various dates, including the date by which the parties were to file a Joint Stipulation. Dkt. 7.

On May 17, 2018, the Court granted Defendant’s ex parte application to modify the CMO and ordered Plaintiff to file a motion for summary judgment by July 16, 2018. Dkt. 15.

As of the date of this Order, Plaintiff has not filed a motion for summary judgment per the Court’s May 17, 2018 Order, and has not requested an extension of time to do so.

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**II.**  
**DISCUSSION**

Under Federal Rule of Civil Procedure 41(b), the Court may dismiss an action with prejudice for failure to prosecute or failure to comply with any court order. See Fed. R. Civ. P. 41(b).

Here, Plaintiff has failed to file a motion for summary judgment as ordered by the Court on May 17, 2018. Consequently, under Rule 41(b), the Court may properly dismiss the instant action with prejudice for failure to prosecute and comply with a court order. However, before dismissing this action, the Court will afford Plaintiff an opportunity to explain the failure to file a motion for summary judgment.

**III.**  
**ORDER**

Accordingly, Plaintiff is **ORDERED TO SHOW CAUSE**, in writing, why this action should not be dismissed for failure to prosecute and/or comply with court orders. Plaintiff shall have up to and including **August 27, 2018**, to respond to this Order. **Plaintiff is cautioned that failure to timely file a response to this Order will be deemed by the Court consent to the dismissal of this action with prejudice.**

**IT IS SO ORDERED.**