

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 18-5492 AG (MRW)	Date	November 27, 2018
Title	Benson v. Commissioner of Social Security		

Present: The Honorable Michael R. Wilner

Veronica Piper

n/a

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiff:

Attorneys Present for Defendant:

None present

None present

Proceedings: ORDER TO SHOW CAUSE RE: DISMISSAL OF SOCIAL SECURITY APPEAL

1. This is a pro se appeal to the district court of a denial of Social Security disability benefits. According to the Court's pro se procedural order (Docket # 6), Plaintiff was required to send a summary of her claims on appeal and a settlement proposal to the government's lawyer within two weeks of service of the administrative record. That was supposed to have occurred by early November.

2. The government recently filed a notice of noncompliance. (Docket # 15.) The notice indicates that, after providing the materials to Plaintiff, she failed to communicate with the agency as required by this court's order.

3. Based on Plaintiff's inaction, the government cannot respond to Plaintiff's claims or discuss a potential settlement of her claim. It also raises grave doubt that Plaintiff will be able to properly brief her case on appeal for this Court's adjudication.

4. Therefore, Plaintiff is ordered to show cause why this action should not be dismissed. Plaintiff may discharge this order by filing: (i) a statement (not to exceed 5 pages excluding exhibits) by or before December 14 explaining the delay in the case; and (ii) demonstrating that she has properly communicated with the agency's assigned lawyer. If no timely response is filed, the Court will likely dismiss the action under Federal Rule of Civil Procedure 41 for failure to prosecute and for failure to comply with this Court's order.