

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 12-0800-SP Date January 8, 2013

Title BRENDA COLE v. Michael J. Astrue

Present: The Honorable Sheri Pym, United States Magistrate Judge

Kimberly I. Carter

None

None

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiff:

Attorneys Present for Defendant:

None Present

None Present

Proceedings: (In Chambers) Order to Show Cause Why Plaintiff Brenda Cole Should Not Be Dismissed for Failure to Prosecute

On May 31, 2012, plaintiff filed a Complaint for Review of Final Decision of the Commissioner of Social Security pursuant to 42 U.S.C. § 405(g). On June 4, 2012, the court issued its Case Management Order in this matter. In that order, the court advised plaintiff that, within 30 days after service of defendant's responsive pleading and a copy of the administrative record, i.e., plaintiff shall serve and file a document entitled "Memorandum in Support of Plaintiff's Complaint." Defendant filed his Answer on November 1, 2012. In response to the parties' stipulation to extend the time for plaintiff to file the memorandum in support of her complaint, the court granted an extension to December 29, 2012.

To date, the court has not received a Memorandum in Support of Plaintiff's Complaint. Nor has plaintiff requested or obtained an order from the court granting a further extension of time to file this pleading. It therefore appears that plaintiff has violated the court's order and is not properly prosecuting this action.

Accordingly, plaintiff is ORDERED to show cause in writing by **January 23, 2013** why this case should not be dismissed without prejudice for plaintiff's failure to file the Memorandum in Support of Plaintiff's Complaint within the required time period, as directed in the court's June 4, 2012 Order. Plaintiff may discharge the Order to Show Cause by filing, not later than January 23, 2013, a Memorandum in Support of Plaintiff's Complaint or a written request for a reasonable extension of time to do so.

The court warns plaintiff that failure to respond to this Order to Show Cause by January 23, 2013, or further failure to prosecute this action in accordance with the Case Management Order and other court orders, may result in dismissal of this action for failure to prosecute.