

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	ED CV 12-1148-SP	Date	March 21, 2013
Title	DANA L. EAGER v. CAROLYN W. COLVIN, Acting Commissioner of Social Security Administration		

Present: The Honorable Sheri Pym, United States Magistrate Judge

Kimberly Carter

None Appearing

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiff(s):

Attorneys Present for Defendant(s):

None Appearing

None Appearing

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

On July 18, 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 July 20, 2012, the court issued its Case Management Order in this matter. The Case Management Order set forth, inter alia, a schedule for the preparation and filing of the Memorandum in Support of Plaintiff's Complaint, following the filing of the Answer. Defendant filed his Answer on December 4, 2012. Accordingly, by the terms of the Case Management Order, plaintiff would have had until January 3, 2013 to file the Memorandum in Support of Plaintiff's Complaint. Pursuant to a stipulation filed by the parties, on December 28, 2012, the court extended the briefing schedule, giving plaintiff until February 2, 2013 to file his Memorandum in Support of Plaintiff's Complaint. On January 22, 2013, counsel for plaintiff filed a Notice of Motion and Motion to Withdraw as Attorney of Record (docket no. 15). On January 28, 2013, the court granted the motion and extended the deadline to file the Memorandum in Support of Plaintiff's Complaint to March 14, 2013.

To date, the court has received no such Memorandum from plaintiff. Nor has plaintiff requested or obtained an order from the court granting an extension of time to do so. It therefore appears that plaintiff has violated the court's orders and is not properly prosecuting this matter.

Accordingly, the court hereby issues this Order to plaintiff to Show Cause in writing not later than **April 5, 2013** why this action should not be dismissed for failure to prosecute. Plaintiff may discharge the Order to Show Cause by filing, not later than April 5, 2013, a written request for a reasonable extension of time for plaintiff to prepare, file, and serve a Memorandum in Support of Plaintiff's Complaint .

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The court warns plaintiff that failure to respond to the Order to Show Cause by April 5, 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.