

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	ED CV 13-665 JSL (MRW)	Date	October 3, 2013
Title	Magallon v. Colvin		

Present: The Honorable	Michael R. Wilner
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Veronica McKamie

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 RE: DISMISSAL OF SOCIAL SECURITY APPEAL

Plaintiff filed this pro se appeal from an adverse Social Security determination in April 2013. Shortly after filing the action, the Court issued an order setting forth the procedures to be followed in the case. (Docket # 7.) That order required Plaintiff to file and serve a motion for summary judgment – essentially, a statement of the issues to be pursued on appeal – within 30 days of the government’s service of the administrative record in this case.

The government served those documents on August 20, 2013. (Docket # 9-11.) Plaintiff’s summary judgment motion was therefore due by September 19. However, to date, Plaintiff has failed to file the required summary judgment papers. As a result, the government cannot respond to Plaintiff’s claims, and the Court cannot fairly adjudicate this action.

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 October 25, 2013, addressing the issues set forth above; and (ii) Plaintiff’s summary judgment submission. If no timely response is filed, the Court will recommend dismissal of the action under Federal Rule of Civil Procedure 41 for failure to prosecute and for failure to comply with this Court’s order.