

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. EDCV 15-1782 JFW (FFM) Date May 24, 2016

Title *Jean Anne Waring v. Carolyn W. Colvin, Acting Commissioner of Social Security*

Present: The Honorable Frederick F. Mumm, United States Magistrate Judge

James Munoz

Deputy Clerk

Attorneys Present for Plaintiff:

None present

Court Reporter / Recorder

Attorneys Present for Defendant:

None present

Proceedings: ORDER TO SHOW CAUSE

On September 1, 2015, Plaintiff Jean Anne Waring (“Plaintiff”) filed a Complaint for Review of Social Security Decision (“Complaint”). (Dkt. No. 1).

On September 25, 2015, the Court issued its standard Case Management Order (“CMO”). (Dkt. No. 7). The CMO directed Plaintiff to serve the Complaint and related documents on Defendant in the following manner:

Plaintiff shall promptly serve the Summons and Complaint on defendant (on the United States Attorney, or his or her authorized agent, by certified or registered mail, or in the alternative, personally at Room 7516, Federal Building, 300 North Los Angeles Street, Los Angeles, California 90012, and by certified or registered mail on the Commissioner of the Social Security Administration and the Attorney General, as required by law), and shall file a proof of such service within thirty (30) days of the date of this Order.

(*Id.* at 2).¹ Moreover, the CMO ordered Defendant to file an answer to the Complaint within one hundred twenty days of service of the Complaint. (*Id.*)

¹ All citations to filings in this case refer to the pagination provided by the Court’s electronic docket.

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On October 23, 2015, Petitioner filed a proof of service (“POS”), a copy of which is attached to this order. (Dkt. No. 9). The POS indicates that an individual named Marylyn Waring served on Defendant the Complaint, summons, and notice of interested parties, by certified mail at the following addresses:

(1) U.S. Attorney’s Office
300 North Los Angeles St., Suite 7516
Los Angeles, CA 90012

(2) U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington D.C. 20530-0001

(3) Social Security Administration
160 Spear Street, Suite 800
San Francisco, CA 94105-1545

(*Id.* at 1–4). However, as reflected by the Court’s electronic docket, Plaintiff did *not* return the original summons.

As of the date of this order, Defendant has not filed a pleading, request, or even a notice of appearance. Because Plaintiff ostensibly executed proper service on Defendant, it appears that Defendant’s failure to file an answer within one hundred twenty days of service of the Complaint is in violation of the Court’s September 25, 2015, Case Management Order.

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Accordingly, Defendant is ordered to show cause within fourteen (14) days of this order why judgment should not be entered for Plaintiff.

IT IS SO ORDERED

cc: John F. Walter
United States District Judge

Initials of
Preparer

: _____
JM
