

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. EDCV 16-1328-SS

Date: December 22, 2016  
Page 1 of 2

Title: Clark Allen Fox v. Carolyn W. Colvin, Commissioner of Social Security

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DOCKET ENTRY: ORDER TO SHOW CAUSE WHY THIS ACTION SHOULD NOT BE  
DISMISSED FOR FAILURE TO PROSECUTE

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PRESENT:

HONORABLE SUZANNE H. SEGAL, UNITED STATES MAGISTRATE JUDGE

Marlene Ramirez  
Deputy Clerk

None  
Court Reporter/Recorder

None  
Tape No.

ATTORNEYS PRESENT FOR PLAINTIFF(S):

ATTORNEYS PRESENT FOR DEFENDANT(S):

None Present

None Present

**PROCEEDINGS: (IN CHAMBERS)**

On June 22, 2016, Brian M. McDaniel (“Plaintiff”) filed a Complaint seeking review of Defendant’s decision denying disability benefits. On November 16, 2016, Defendant filed an Answer to the Complaint and a Certified Administrative Record. Pursuant to the Court’s June 30, 2016 Order Re: Procedures in Social Security Appeal, Plaintiff was required to file a “Memorandum in Support of Plaintiff’s Complaint” by December 21, 2016. As of today, Plaintiff has not filed the required memorandum.

Accordingly, Plaintiff is **ORDERED TO SHOW CAUSE**, within **fourteen (14) days** of the date of this Order, why this action should not be dismissed with prejudice for failure to prosecute, pursuant to Federal Rule of Civil Procedure 41(b). Plaintiff may discharge this Order by either filing a “Memorandum in Support of Plaintiff’s Complaint” or a declaration, signed under penalty of perjury, establishing good cause as to why Plaintiff has been unable to file the required memorandum.

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**Plaintiff is expressly advised that failure to timely file the required memorandum or a declaration in response to this Order will result in this action being dismissed with prejudice for failure to prosecute, pursuant to Federal Rule of Civil Procedure 41(b).**

The Clerk of the Court is directed to serve a copy of this Order on counsel for Plaintiff and Defendant.