

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES – GENERAL

Case No. 5:24-cv-01272-MCS-KES

Date: September 24, 2024

Title: HEATHER FEATHERSTONE v. MARTIN O’MALLEY

PRESENT:

THE HONORABLE KAREN E. SCOTT, U.S. MAGISTRATE JUDGE

Jazmin Dorado
Courtroom Clerk

Not Present
Court Reporter

ATTORNEYS PRESENT FOR
PLAINTIFF:
None Present

ATTORNEYS PRESENT FOR
DEFENDANT:
None Present

PROCEEDINGS (IN CHAMBERS):

**Order to Show Cause Why Case
Should Not Be Dismissed for Lack of
Prosecution**

On June 17, 2024, Plaintiff filed a complaint challenging the denial of social security disability benefits. (Dkt. 1.) Such cases filed on or after December 1, 2022, are governed by the new Supplemental Rules for Social Security Actions under 42 U.S.C. § 405(g).

Under Rule 4, Defendant must file an answer including a certified copy of the administrative record. Defendant did so in this case on August 19, 2024. (Dkt. 9.)

Under Rule 6, Plaintiff must file and serve a brief for the requested relief within 30 days after the answer is filed. Plaintiff’s 30-day filing deadline expired on Wednesday, September 18, 2024. The Court has received neither Plaintiff’s brief nor a request from Plaintiff’s counsel to extend the briefing deadline.

The Court, therefore, issues this order to show cause (“OSC”) why Plaintiff’s case should not be dismissed for failure to comply with the applicable rules and failure to prosecute the case by filing a timely brief.

Plaintiff can discharge this OSC by **on or before September 30, 2024** (1) filing a brief, or (2) requesting an extension of time to file a brief supported by good cause. Good cause means that Plaintiff must explain (1) why, despite diligent efforts after receiving the administrative record, she could not file a brief by the deadline, (2) how much additional time she needs to file

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the brief, and (3) why she needs that much additional time. The Court has discretion to grant or deny requests for additional time.

For guidance writing the brief, Plaintiff's counsel may visit the Court's website at <http://www.cacd.uscourts.gov/>. There, counsel will find instructions under the "Judges' Requirements" tab, looking at the "Judges' Procedures and Schedules" for Judge Scott addressing social security cases. The Court's local civil rules are also available online and address formatting requirements, the required wordcount certification, etc.

Initials of Deputy Clerk JD