

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SACV 17-756-JGB (KS) Date: December 22, 2017

Title Christine Ann Cortez v. Nancy A. Berryhill

Present: The Honorable: Karen L. Stevenson, United States Magistrate Judge

Roxanne Horan-Walker
Deputy Clerk

N/A
Court Reporter / Recorder

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE RE: DISMISSAL

On April 27, 2017, Plaintiff, a California resident proceeding *pro se*, filed a Complaint seeking review of the denial of her application for disability insurance benefits (“DIB”). (Dkt. No. 1.) On May 8, 2017, the Court issued a Case Management Order. (Dkt. No. 7.) Paragraph X of that Order states that Plaintiff shall “file a Motion for Summary Judgment within 30 days of service of Defendant’s responsive pleading and the administrative record.” (Dkt. No. 7.) Defendant filed her Answer to the Complaint and the Certified Administrative Record on September 18, 2017. (Dkt. Nos. 16, 17.) Accordingly, Plaintiff’s deadline for filing her Motion for Summary Judgment was October 18, 2017.

However, two *months* have now passed since Plaintiff’s deadline for filing a Motion for Summary Judgment, and Plaintiff has neither filed the Motion for Summary Judgment nor otherwise communicated with the Court about her case.

Pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, an action may be subject to involuntary dismissal if a plaintiff “fails to prosecute or to comply with these rules or a court order.” Accordingly, the Court could properly recommend dismissal of the action for Plaintiff’s failure to prosecute and timely comply with the Court’s May 8, 2017 Case Management Orders.

However, in the interests of justice, Plaintiff is ORDERED TO SHOW CAUSE on or before January 12, 2018, why the Court should not recommend that this action be dismissed for failure to prosecute. Plaintiff may discharge this Order by filing: (1) a request for an extension of time to file a Motion for Summary Judgment along with a declaration signed under penalty of perjury that establishes good cause for her failure to

