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IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

EDNA DE LEON BUERA,)	1:07cv1051 GSA
)	
Plaintiff,)	ORDER FOR STATUS REPORT
)	
vs.)	
)	
MICHAEL J. ASTRUE, Commissioner of Social Security,)	
)	
Defendant.)	

On May 28, 2008, this Court issued its order to remand under sentence six of section 205(g) of the Social Security Act, as amended, 42 U.S.C. § 405(g). On remand, the Commissioner would attempt to locate Plaintiff’s claims file and, if the file could not be located within a reasonable time, it would be reconstructed, including an instruction to an Administrative Law Judge to reconstruct the record, hold a new hearing, and issue a decision.

On November 3, 2009, the Commissioner filed a status report indicating that Plaintiff’s case had been transferred to the Fresno Office of Hearing and Appellate Review and the matter was to be scheduled for hearing. Pursuant to an Order issued by this Court on January 28, 2009, the Commissioner was required to “file a status report every 120 days until this action is returned to this Court or otherwise resolved.” The most recent report was due on March 1, 2010. To date, no status

1 report was filed. Accordingly, within five days, the Commissioner shall file a status report updating
2 the Court on the status of this case. Failure to do so may result in the imposition of sanctions.

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IT IS SO ORDERED.

Dated: March 10, 2010

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE