UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

RICHARD HUBBARD, Plaintiff, v. ALJ MR. CHRISTOPHER LARSEN OF THE SOCIAL SECURITY ADMINISTRATION, et al., Defendants.	1:07-cv-01225-LJO-SMS ORDER DIRECTING DEFENDANT TO FILE A COPY OF THE "WARRANT FOR REMAND" DOCUMENT RECEIVED BY COUNSEL FOR DEFENDANT ORDER DEFERRING ACTION ON DEFENDANT'S MOTION FOR CLARIFICATION AND REQUEST FOR EXTENSION OF TIME PENDING RECEIPT OF A COPY OF THE DOCUMENT BY THE COURT (DOC. 25)

INFORMATIONAL ORDER TO PLAINTIFF

Plaintiff is a state prisoner proceeding in forma pauperis and pro se with a civil action in this Court. Pursuant to 28 U.S.C. § 636(c), both parties have consented to the Magistrate's jurisdiction to conduct all proceedings, including ordering the entry of judgment.

On December 17, 2008, the Court discharged an order to show cause that had issued to Plaintiff and deemed Plaintiff's previously filed request for an extension of time to be Plaintiff's opening brief; the Court set forth deadlines for Defendant's filing of a responsive brief and the filing of any

reply by Plaintiff.

Pending before the Court is Defendant's motion for clarification and for an extension of time to file Defendant's responsive brief, filed on January 29, 2009, well within the forty-five day period set by the Court in December for the filing of Defendant's brief. In the motion, Defendant informed the Court that after the Court had directed Respondent to treat Plaintiff's previously filed document as the opening brief, Defendant "received" a document entitled "Warrant for Remand" from Plaintiff. (Mot. p. 1.) Defendant requested the Court to clarify whether it wished Defendant to follow the Court's order to respond to the request for extension of time as a brief, or instead to Plaintiff's warrant for remand. Defendant further requested thirty days after the issuance of clarification within which to file the responsive brief.

The Court has not been served with any "Warrant for Remand."

Defendant IS DIRECTED to file with the Court no later than ten days after the date of service of this order a copy of the "Warrant for Remand" received from Plaintiff so that the merits of the motion for clarification and for an extension may be further considered.

IT IS SO ORDERED.

Dated: February 4, 2009 **/s/ Sandra M. Snyder**
UNITED STATES MAGISTRATE JUDGE