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

9 JENNIFER SAVIEN PHOU,) 1:08cv0957 DLB
10)
11)
12 Plaintiff,) ORDER TO SHOW CAUSE
13 vs.)
14 COMMISSIONER OF SOCIAL)
15 SECURITY,)
16 Defendant.)
17

18 Plaintiff is proceeding pro se in this action for judicial review of the denial of Social Security
19 benefits, filed on July 8, 2008. On July 10, 2008, the Court issued a Scheduling Order. The
20 Scheduling Order states that within 120 days after service, Defendant shall file and serve a copy of
21 the administrative record, which shall be deemed an answer to the complaint. The Order also
22 provides that within 30 days after service of the administrative record, Plaintiff shall serve on
23 Defendant a letter brief outlining why remand is warranted which Defendant shall respond to within
24 35 days. Thereafter, if Defendant does not stipulate to remand, within 30 days of Defendant's
25 response, Plaintiff must file and serve an opening brief.
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1 On November 11, 2008, Defendant lodged the administrative record. Pursuant to the
2 Scheduling Order, Plaintiff was required to file her brief on or before February 14, 2009. However,
3 on February 24, 2009, the Court granted Plaintiff's attorney's motion to withdraw as counsel.
4 Plaintiff was substituted in pro se and the dates in the Scheduling Order were extended 45 days "for
5 Plaintiff to find new counsel, continue the action in pro se, or dismiss the action."

6 Plaintiff has not informed the Court of new counsel, nor has she indicated that she wants to
7 dismiss the action. An opening brief was therefore due on or about April 3, 2009. To date, Plaintiff
8 has not filed her brief.

9 Therefore, Plaintiff is ORDERED TO SHOW CAUSE, if any she has, why the action should
10 not be dismissed for failure to comply with the Court's orders. Plaintiff is ORDERED to file a
11 written response to this Order to Show Cause within twenty (20) days of the date of this Order. If
12 Plaintiff desires more time to file her brief or wishes to dismiss this action, she should so state in her
13 response.

14 Failure to respond to this Order to Show Cause will result in dismissal of this action.

16 || IT IS SO ORDERED.

Dated: April 20, 2009

/s/ **Dennis L. Beck**
UNITED STATES MAGISTRATE JUDGE