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

KENNETH JONES,)	1:09cv0710 DLB
)	
)	
)	ORDER TO SHOW CAUSE
Plaintiff,)	
)	
vs.)	
)	
COMMISSIONER OF SOCIAL)	
SECURITY,)	
)	
Defendant.)	

On April 21, 2009, Plaintiff filed the present action for judicial review of the denial of Social Security benefits. On April 22, 2009, the Court issued a Scheduling Order. The Scheduling Order states that within 120 days after service, Defendant shall file and serve a copy of the administrative record, which shall be deemed an answer to the complaint. The Order also provides that within 30 days after service of the administrative record, Plaintiff shall serve on Defendant a letter brief outlining why remand is warranted which Defendant shall respond to within 35 days. Thereafter, if Defendant does not stipulate to remand, within 30 days of Defendant's response, Plaintiff must file and serve an opening brief.

1 On August 28, 2009, Defendant lodged the administrative record. Pursuant to the Scheduling
2 Order, Plaintiff was required to file his opening brief on or before December 1, 2009. Plaintiff has
3 failed to file a brief.

4 Therefore, Plaintiff is ORDERED TO SHOW CAUSE, if any he has, why the action should
5 not be dismissed for failure to comply with the Court's orders. Plaintiff is ORDERED to file a
6 written response to this Order to Show Cause within twenty (20) days of the date of this Order. If
7 Plaintiff desires more time to file his brief, he should so state in his response.

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

9 IT IS SO ORDERED.

10 **Dated: December 23, 2009**

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE

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