

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RICHARD LAWRENCE,) Case No.: 1:09-cv-00862-JLT
Plaintiff,)
v.)
MICHAEL J. ASTRUE,) ORDER TO SHOW CAUSE WHY
Commissioner of Social Security,) COMPLAINT SHOULD NOT BE
Defendant.) DISMISSED FOR FAILURE TO COMPLY
) WITH SCHEDULING ORDER
)

Plaintiff is proceeding pro se in this action seeking judicial review of a final decision of the Commissioner of Social Security denying his application for benefits.

By previous order of the Court, Plaintiff was granted an extension of time until June 2, 2010, to file an Opening Brief. (Doc. 22) Plaintiff has failed to comply with this deadline and has failed to comply with the original scheduling order which set deadlines within which his opening brief was to be filed. The scheduling order explains that failure to comply with its provisions may result in sanctions pursuant to Local Rule 110. (Doc. 6 at 4.)

Therefore, Plaintiff shall have until June 14, 2010 to file an Opening Brief or, in lieu thereof, to file a motion seeking an extension of time supported by good cause. Plaintiff is forewarned that his failure to comply with this Order will result in dismissal of this action pursuant to the inherent power of the Court or the Federal Rules of Civil Procedure. Fed. R. Civ. P. 41(b), 11; Local Rule 110; Chambers v. NASCO, Inc., 501 U.S. 31, 42-43 (1991).

Accordingly, IT IS HEREBY ORDERED that Plaintiff shall have until June 14, 2010, to file an Opening Brief that complies with paragraph 11 of the Court's Scheduling Order of May 18, 2009 (Doc. 6) or, in lieu thereof, a motion for an extension of time supported by good cause.

IT IS SO ORDERED.

Dated: June 4, 2010

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE