

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CHAD MILLER,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,
Defendant.

CASE NO. 1:09-cv-1101-SKO

**ORDER DISCHARGING ORDER TO
SHOW CAUSE**

RESPONSIVE BRIEF DUE: JULY 1, 2010

Plaintiff's opening brief in this matter was due on May 13, 2010. On May 18, 2010, the Court issued an order to show cause ("OSC") directing Plaintiff to state good cause why the Court should not impose sanctions under Local Rule 110 for Plaintiff's failure to file an opening brief. On May 24, 2010, Plaintiff filed a response to the Court's OSC. Plaintiff's counsel stated that she miscalendared the deadline for filing the opening brief and sought leave of Court to file the opening brief.

Ms. Brewer has been counsel of record in approximately 706 cases before the Eastern District. The Court does not detect a pattern of late filing or ambivalence to the Court's orders. As such, the Court will grant Plaintiff's request for an extension of time to file the opening brief, and notes that the opening brief was filed on May 27, 21010. Defendant's brief shall be filed on or before July 1, 2010.

1 Any requests for additional extensions of time shall be filed in a manner that complies with
2 Local Rule 144, and shall be accompanied by a proposed order in Word or WordPerfect format that
3 is emailed directly to chambers at skoorders@caed.uscourts.gov.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. Defendant's responsive brief shall be filed on or before **July 1, 2010**.
- 6 2. The Court's May 18, 2010, Order to Show Cause is DISCHARGED.

7
8 IT IS SO ORDERED.

9 **Dated: May 28, 2010**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE