

**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

JOSE A. JIMENEZ, II,	)	1:09-cv-01371 GSA
	)	
Plaintiff,	)	
	)	<b>ORDER TO SHOW CAUSE</b>
v.	)	
	)	
MICHAEL J. ASTRUE, Commissioner	)	
of Social Security,	)	
	)	
Defendant.	)	

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On August 4, 2009, Plaintiff filed the present action in this Court, seeking review of the Commissioner's denial of his application for benefits. (Doc. 2.)

On April 7, 2010, this Court issued a Order to Show Cause regarding Plaintiff's failure to file an opening brief on or before March 22, 2010. (Doc. 12.) Rather than respond to the order, counsel for Plaintiff filed a Motion to Withdraw as Attorney on April 15, 2010. (Doc. 13.)

On April 16, 2010, the Court set the matter for a hearing on May 21, 2010, by way of minute order. The minute order was also served on Plaintiff Jose A. Jimenez, II, via United States Mail that same date. (Doc. 14.) On April 27, 2010, the mail addressed to Plaintiff at 625 Brittney Way in Merced, California, was returned as undeliverable, "Attempted - Not Known; Unable to Forward."

1 As a result, on April 28, 2010, this Court issued a signed minute order requiring Plaintiff's  
2 counsel to file a declaration outlining what additional efforts she made to be certain Plaintiff was  
3 served with, and had received notice of, her motion to withdraw as counsel. The declaration was to  
4 be filed no later than May 14, 2010. Counsel has failed to file a declaration.

5 Thus, Plaintiff's counsel is ordered to show cause why sanctions should not be imposed for  
6 her failure to comply with the Court's minute order of April 28, 2010. **Plaintiff's counsel is**  
7 **ORDERED to file a written response to this Order to Show Cause no later than May 21, 2010.**  
8 **Moreover, the declaration regarding counsel's efforts to serve her client with the motion to**  
9 **withdraw as attorney shall also be filed no later than May 21, 2010.**

10 Additionally, the hearing on counsel's motion to withdraw as attorney scheduled for  
11 May 21, 2010, is **CONTINUED** to Friday, **May 28, 2010, at 9:30 a.m.**, in Courtroom 10.

12  
13 IT IS SO ORDERED.

14 **Dated: May 17, 2010**

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE