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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

PABLO REYNA,

CASE NO. 1:09-cv-01970-SMS

Plaintiff,

ORDER DIRECTING PLAINTIFF
TO SUBMIT SUPPLEMENTAL
DOCUMENTATION

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

Plaintiff Pablo Reyna has petitioned the Court for an order setting fees payable to his attorneys, Law Office of Jeffrey Milam. Having reviewed both parties' submissions, the Court requests supplemental documentation as follows.

First, Plaintiff has requested a grant of attorneys' fees based on the initial amount withheld for payment of those fees by the Commissioner in his letter dated June 18, 2002. Doc. 31-2. The letter does not provide a final determination of past due benefits, however, instead providing:

We are holding your Social Security benefits for August 2005 through May 2012. We may have to reduce these benefits if you received Supplemental Security Income (SSI) for this period. We will not reduce your past-due benefits if you did not get SSI benefits for those months.

However, we will withhold part of any past-due benefits to pay the representative.

When we decide how much you are due for this period, we will send you another letter.

Doc. 31-2 at 1-2.

1 Plaintiff is hereby directed to submit to the Court a copy of the final letter confirming the
2 total amount of benefits to be paid to him.

3 Second, the submissions of Plaintiff's attorneys do not include proof of service of the
4 motion on Plaintiff. Plaintiff's attorneys are directed to submit to the Court proof that Plaintiff
5 was served with a copy of their motion for attorneys' fees.

6 Plaintiff is ordered to submit the requested materials on or before October 12, 2012. In
7 the event Plaintiff fails to timely provide these materials to the Court, the motion shall be
8 dismissed for failure to prosecute.

9
10 IT IS SO ORDERED.

11 **Dated: October 2, 2012**

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE