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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ANGELA VASQUEZ,

Plaintiff,

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

Defendant.

) Case No.: 1:11-cv-00853-SKO
)
) **ORDER GRANTING REQUEST FOR**
) **SECOND EXTENSION OF TIME**
)
) (Doc. 16)

On January 10, 2012, the Court granted the parties' request to extend the briefing schedule. (Doc. 15.) Pursuant to the Court's order, Plaintiff Angela Vasquez' ("Plaintiff") opening brief was due on or before March 9, 2012. (Doc. 15.) Plaintiff did not file an opening brief.

On March 27, 2012, the parties filed a stipulation and proposed order to extend the briefing schedule to allow Plaintiff to file the opening brief on March 30, 2012. (Doc. 16.) The Local Rules of the United States District Court, Eastern District of California, Rule 144(d) controls the time for requesting extensions and states that "Counsel shall seek to obtain a necessary extension . . . as soon as the need for an extension becomes apparent. Requests for Court-approved extensions brought on the required filing date for the pleading or other document are looked upon with disfavor." As such, the parties' request on March 27, 2012, for an extension of time (Doc. 16), filed eighteen (18) days after the responsive brief was due on March 9, 2012, is not appropriate and fails to comply with the Local Rules.

1 The Court, however, is sympathetic to the personal situation of Plaintiff's counsel, Steven G.
2 Rosales. (See Doc. 16). As such, the Court will GRANT the parties request to extend the briefing
3 schedule. (Doc. 16.) The parties are cautioned, however, that compliance with the Court's orders
4 and the Local Rules is mandatory and not discretionary. Local Rule 110 provides that "[f]ailure of
5 counsel or of a party to comply with these Rules or with any order of the Court may be grounds for
6 imposition by the Court of any and all sanctions authorized by statute or Rule or within the inherent
7 power of the Court." As such, counsel is advised that continued disregard for Court orders and rules
8 shall be looked upon with disfavor.

9 According to the stipulated agreed upon dates, IT IS HEREBY ORDERED that:

- 10 1. Plaintiff shall file an opening brief **on or before March 30, 2012**;
- 11 2. The Commissioner shall file a responsive brief **on or before April 30, 2012**; and
- 12 3. Plaintiff may file a reply brief **on or before May 7, 2012**.

13 IT IS SO ORDERED.

14 **Dated: March 27, 2012**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE