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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DAVID HILL,
Plaintiff,
v.
COMMISSIONER OF SOCIAL SECURITY,
Defendant.

Case No. 1:12-cv-01420-SAB
ORDER DISCHARGING COURT’S ORDER
TO SHOW CAUSE
ECF NO. 16

On September 24, 2013, the Court ordered Plaintiff David Hill (“Plaintiff”) to show cause why this action should not be dismissed for Plaintiff’s failure to prosecute. (ECF No. 16.) Plaintiff did not file an opening brief in this action, which was due September 24, 2013 and did not request an extension of time.

On October 1, 2013 Plaintiff filed his opening brief along with a response to the Court’s order to show cause. (ECF No. 18.) Plaintiff indicated that he inadvertently missed the filing deadline for his opening brief due to a calendaring error.

Due to the delay associated with Plaintiff’s calendaring error, the Court will modify the briefing schedule as follows: Plaintiff’s reply, if any, to Defendant’s opposition shall be due within seven (7) days of the date of service of Defendant’s opposition, instead of the customary fifteen (15) days. If no reply is filed within seven (7) days of the date of service of Defendant’s opposition, Plaintiff’s right to file a reply will be deemed waived.

