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6 **UNITED STATES DISTRICT COURT**
78 EASTERN DISTRICT OF CALIFORNIA
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10 ALONZO GEORGE DAVIS,

CASE NO. 1:12-cv-01763-SAB

11 v. Plaintiff,

12 MICHAEL J. ASTRUE,
13 Commissioner of Social Security,
14
15 Defendant. /**ORDER REQUIRING DEFENDANT TO
FILE COPY OF ADMINISTRATIVE
RECORD WITHIN FOURTEEN DAYS**

17 On October 29, 2012, Plaintiff filed the present action in this court seeking review of the
18 Commissioner's denial of an application for benefits. On November 1, 2012, the Court issued a
19 scheduling order. (ECF No. 7). The scheduling order states that within 120 days after service,
20 Defendant shall file and serve a copy of the administrative record which shall be deemed an answer
21 to the complaint. On November 28, 2012, Plaintiff returned an executed copy of the summons
22 showing that Defendant was served by certified mail on November 19, 2012. (ECF No. 8.) More
23 than 120 days have passed and Defendant has not filed a copy of the administrative record or
24 otherwise responded to the service of the complaint.

25 Accordingly, IT IS HEREBY ORDERED that:

26 1. Within fourteen days from the date of service of this order, Defendant shall file and
27 serve a copy of the administrative record;

28 2. Failure to respond to this order could result in the imposition of sanctions, up to an

1 including an entry of default; and

2 3. **Because Defendant has not yet appeared in this action, the Clerk of the Court**
3 **is directed to serve a copy of this order on those parties listed in Plaintiff's proof**
4 **of service (see ECF No. 8).**

5 IT IS SO ORDERED.

6 Dated: March 1, 2013

7 
8 UNITED STATES MAGISTRATE JUDGE