

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ALONZO GEORGE DAVIS,

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

Plaintiff,

v.

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

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

Accordingly, IT IS HEREBY ORDERED that:

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


UNITED STATES MAGISTRATE JUDGE