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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JULIAN WALKER,
Plaintiff,
v.
ACTING COMMISSIONER OF SOCIAL
SECURITY,
Defendant.

Case No. 1:13-cv-00668-GSA

**ORDER TO SHOW CAUSE REGARDING
PLAINTIFF’S FAILURE TO TIMELY
SERVE HIS CONFIDENTIAL LETTER
BRIEF ON DEFENDANT**

This Court’s Informational Order for Pro Se Litigants (“Informational Order”), which was served on Plaintiff Julian Walker (“Plaintiff”) on June 4, 2013, sets forth the course of proceedings relevant to this matter, and specifies when each step in the process must occur. (Doc. 8). In addition, this Court’s Scheduling Order, which was served on Plaintiff on May 13, 2013, similarly sets forth the steps the parties are required to take in this case, and the deadline applicable to each step. (Doc. 6).

The Informational and Scheduling Orders specify that, after service of the Administrative Record by the Acting Commissioner of Social Security (“Defendant”), the parties must make an initial attempt to resolve this case without court intervention, by exchanging informal briefs in the form of letters. (Doc. 8, § II; Doc. 6, ¶ 3). The Defendant has notified the Court that the

1 complete Administrative Record was served on Plaintiff, in both paper and electronic (CD-
2 ROM) formats, on January 24, 2014. (Docs. 14, 17). The Informational and Scheduling Orders
3 require Plaintiff to serve his confidential letter brief on the Defendant within thirty (30) days
4 after service of the Administrative Record. (Doc. 8 § II, Doc. 6, ¶ 3). Accordingly, with due
5 reference to Federal Rules of Civil Procedure 5(b)(2)(C), 6(a), and 6(d), Plaintiff was required to
6 serve his letter brief on Defendant no later than February 24, 2014.

7 On February 26, 2014, Defendant filed a notice of non-receipt of Plaintiff's confidential
8 letter brief. (Doc. 15). Plaintiff is therefore ORDERED TO SHOW CAUSE in writing, no later
9 than March 26, 2014, why he failed to serve his letter brief on Defendant by February 24, 2014,
10 as required by the Court's Informational and Scheduling Orders. Alternatively, Plaintiff may
11 serve his letter brief on Defendant upon receipt of this Order to Show Cause, and notify the
12 Court in writing, no later than March 26, 2014, that he has done so. Failure to respond to this
13 Order to Show Cause by March 26, 2014, will result in the dismissal of this action.

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15 IT IS SO ORDERED.

16 Dated: March 6, 2014

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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