

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

ERNESTINE CHERYL ROBINSON,

Plaintiff,

V.

CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,

Defendant.

| Case No. 13-cv-00861-SMS

## ORDER DISMISSING CASE WITH PREJUDICE

16 On June 5, 2013, Plaintiff Ernestine Robinson (“Plaintiff”), by attorney Vijay J. Patel, filed  
17 a complaint seeking review of the final decision of the Commissioner of Social Security  
18 (“Commissioner” or “Defendant”) denying her application for benefits under the Social Security  
19 Act (“Act”). Doc. 1. Defendant moved to dismiss. Doc. 14. On December 18, 2013, the Court  
20 granted this motion and dismissed with leave to amend. Doc. 18. The Court stated:

21 If Plaintiff has a good faith belief that equitable tolling applies, she may amend her complaint  
22 **within thirty days** to add such allegations. If Plaintiff does not amend by that date, the Court will  
dismiss this case with prejudice.

23 The last day to amend was Friday, January 17, 2014. Plaintiff has not filed an amended  
24 complaint. Accordingly, the Court now DISMISSES the case with prejudice.

IT IS SO ORDERED.

Dated: **January 22, 2014**

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28