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

BRENDA DEE BAKER,  
Plaintiff,  
v.  
COMMISSIONER OF SOCIAL SECURITY,  
Defendant.

Case No. 1:13-cv-01350-SAB  
ORDER TO SHOW CAUSE  
SEVEN DAY DEADLINE

On August 22, 2013, Plaintiff Brenda Dee Baker (“Plaintiff”) filed the present action in this court seeking review of the Commissioner’s denial of an application for benefits. On August 26, 2013, the Court issued a scheduling order. (ECF No. 4). The scheduling order states that within 95 days from the filing of the administrative record, Plaintiff shall file an opening brief. On September 23 and 24, 2014, the parties filed forms consenting to the jurisdiction of the magistrate judge. (ECF Nos. 7, 8.) Defendant lodged the Social Security administrative record on January 10, 2014. (ECF No. 9.) More than 95 days have passed and Plaintiff has not filed an opening brief nor sought an extension of time to do so.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff shall file a written response to this order to show cause why this action should not be dismissed for failure to prosecute within seven (7) days of the date

1 of service of this order. Failure to comply with this order to show cause shall  
2 result in this action being dismissed for failure to prosecute.

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4 IT IS SO ORDERED.

5 Dated: May 7, 2014

  
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UNITED STATES MAGISTRATE JUDGE