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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JAMES WALKER,
Plaintiff,
v.
COMMISSIONER OF SOCIAL SECURITY,
Defendant.

Case No. 1:13-cv-01669-SAB
ORDER TO SHOW CAUSE WHY THIS
ACTION SHOULD NOT BE DISMISSED
FOR FAILURE TO PROSECUTE
RESPONSE DUE WITHIN SEVEN DAYS

On October 16, 2013, Plaintiff James Walker (“Plaintiff”) filed the present action in this court seeking review of the Commissioner’s denial of an application for benefits. On October 17, 2013, the Court issued a scheduling order. (ECF No. 5). The scheduling order states that within 95 days from the filing of the administrative record, Plaintiff shall file an opening brief. On November 22, 2013, the parties filed forms consenting to the jurisdiction of the magistrate judge. (ECF Nos. 7, 8.) Defendant lodged the Social Security administrative record on March 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 of service of this order. Failure to comply with this order to show cause shall result in this action being

1 dismissed for failure to prosecute.

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3 IT IS SO ORDERED.

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Dated: June 18, 2014



UNITED STATES MAGISTRATE JUDGE

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