

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JOHN MARGARITO CORTEZ,

Case No. 1:14-cv-01016-SKO

Plaintiff,

V.

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

**ORDER REQUIRING SERVICE OF
PLAINTIFF'S COUNSEL'S MOTION
AND MODIFICATION OF THE
BRIEFING SCHEDULE**

Defendant.

21 On April 8, 2015, Plaintiff's counsel filed a motion to withdraw as attorney of record for
22 Plaintiff citing communication difficulties with his client. Plaintiff's counsel also sought a
23 continuance of the parties' current briefing schedule. (Doc. 14.)

24 Any motion to withdraw as counsel must be served on the Plaintiff, and proof of service
25 shall be filed on the docket. *See* U.S. District Court for the Eastern District of California's Local
26 Rule 182(d). As such, Plaintiff's counsel shall promptly serve his motion and a copy of this order
27 on Plaintiff and file proof of such service by no later than April 10, 2015. Plaintiff shall have until
28 April 24, 2015, to file any opposition to his counsel's motion. If Plaintiff files a statement of

1 opposition, Plaintiff's counsel may file a written reply brief by no later than April 29, 2015, and
2 the Court will set a hearing if one is deemed appropriate. If no opposition is filed, the Court will
3 consider the matter submitted for decision and will issue a written order. The briefing schedule
4 will be modified due Plaintiff's counsel's motion.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. Plaintiff's counsel shall serve his motion and a copy of this order upon Plaintiff and
7 file a proof of that service by no later than April 10, 2015;
- 8 2. Plaintiff may file an opposition to Plaintiff's counsel's motion on or before April 24,
9 2015;¹
- 10 3. If an opposition brief is filed, Plaintiff's counsel may file a reply brief on or before
11 April 29, 2015;
- 12 4. A hearing on Plaintiff's counsel's motion will be set if appropriate; and
- 13 5. The current briefing schedule is modified as follows:
 - 14 a. Plaintiff shall file an opening brief on or before June 5, 2015;
 - 15 b. Defendant shall file a responsive brief on or before July 9, 2015; and
 - 16 c. Plaintiff may file an optional reply brief on or before July 27, 2015.

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18 IT IS SO ORDERED.

19 Dated: April 10, 2015

20 /s/ Sheila K. Oberto
21 UNITED STATES MAGISTRATE JUDGE

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¹ Defendant may also file an opposition brief to Plaintiff's counsel's motion.