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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 LYDIA BERTON,

12 Plaintiff,

13 v.

14 COMMISSIONER OF SOCIAL SECURITY,

15 Defendant.
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Case No. 1:15-cv-0048-BAM

ORDER TO SHOW CAUSE WHY THIS
ACTION SHOULD NOT BE DISMISSED
FOR PLAINTIFF'S FAILURE TO
PROSECUTE

RESPONSE DUE: July 23, 2015

17 On January 9, 2015, Plaintiff Lydia Berton ("Plaintiff") filed the complaint in this action.
18 (ECF No. 1.) That same day, the Court issued the scheduling order in this action. (ECF No. 3.)
19 The scheduling order ordered Plaintiff to serve the summons and complaint in this action within
20 twenty days of filing the complaint and to file a return of service with the Court. To date, no
21 return of service has been filed with the Court and there is no indication that Plaintiff has served
22 the summons or complaint. No activity has occurred on the Court's docket for this action since
23 Plaintiff consented to magistrate jurisdiction on January 12, 2015. (ECF No. 4.)

24 Accordingly, Plaintiff is HEREBY ORDERED to SHOW CAUSE in writing why this
25 action should not be dismissed for Plaintiff's failure to comply with the Court's scheduling order
26 and Plaintiff's failure to prosecute this action.

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1 Plaintiff shall file a written response to this order to show cause no later than **July 23,**
2 **2015.** Plaintiff is forewarned that failure to respond to this order to show cause will result in the
3 dismissal of this action.

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5 IT IS SO ORDERED.

6 DATED: July 8, 2015

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE