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

CHRISTINE MCKINLEY,)	Case No.: 1:15-cv-01078 - JLT
Plaintiff,)	
v.)	ORDER STRIKING DEFENDANT’S
)	RESPONSIVE BRIEF(Doc. 25) FOR FAILURE TO
)	COMPLY WITH THE COURT’S ORDER
CAROLYN W. COLVIN, Acting Commissioner of Social Security,)	
Defendant.)	

On August 5, 2016, the Court granted Defendant’s request for an extension of time to file a response to Plaintiff’s opening brief. (Doc. 22) The Court ordered Defendant to “file a responsive brief no later than **August 26, 2016.**” (*Id.* at 2, emphasis in original) In granting the third request for the extension of time, the Court cautioned the parties that no further extensions of time would be granted without a “showing of exceptionally good cause.” (*Id.*) However, Defendant failed to file a response.

On August 30, 2016, the parties filed a stipulation for Defendant to have a further extension of time to respond to the opening brief. (Doc. 23) The Court found Defendant failed to demonstrate exceptionally good cause for the extension. (Doc. 24 at 2) Nevertheless, because Plaintiff did not oppose the request, the Court granted an extension, and ordered Defendant to “file a responsive brief no later than **September 26, 2016.**” (*Id.*, emphasis in original)

The parties were “are advised that **no further extensions of time will be approved.**” (Doc. 24 at 2, emphasis in original) This information also was placed on the Court’s docket, indicating

1 Defendant's responsive brief was "due by 9/26/2016," and "[n]o further extension of time will be
2 **approved.**" (*emphasis as appears on the docket*) Further, the Court informed the parties: "If
3 Defendant fails to file the responsive brief in compliance with this deadline ordered by the Court, the
4 matter will be decided without any input by Defendant." (*Id.*) Again, Defendant disregarded the
5 deadline ordered by the Court. Instead, Defendant filed a responsive brief on **September 27, 2016**, at
6 11:49 p.m. (Doc. 25)

7 Significantly, courts may impose sanctions, as part of their inherent power "to manage their
8 own affairs so as to achieve the orderly and expeditious disposition of cases" or based on a failure to
9 comply with court orders. *Chambers v. NASCO, Inc.*, 501 U.S. 32, 43 (1991); *see also Thompson v.*
10 *Housing Auth. of City of L.A.*, 782 F.2d 829, 831 (9th Cir. 1986) (stating that district courts have
11 inherent power to control their dockets and may impose sanctions including dismissal or default).
12 Eastern District Local Rule 110 provides that "[f]ailure of counsel or of a party to comply with these
13 Rules or with any order of the Court may be grounds for imposition by the Court of any and all
14 sanctions authorized by statute or Rule or within the inherent power of the Court."

15 Although the Court declines to strike the administrative transcript—which serves as the
16 Commissioner's answer in this matter—the Court cannot overlook Defendant's repeated disregard of
17 the deadlines imposed in this action. Accordingly, the merits of Plaintiff's request for judicial review
18 of the decision denying her application for benefits will be decided without input from Defendant, and
19 the untimely responsive brief (Doc. 25) is **STRICKEN** from the record for Defendant's failure to
20 comply with the Court's order.

21
22 IT IS SO ORDERED.

23 Dated: October 4, 2016

/s/ Jennifer L. Thurston
24 UNITED STATES MAGISTRATE JUDGE
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