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

HARLEY McNEIL,

 Plaintiff,

 vs.

NANCY A. BERRYHILL, Acting
Commissioner of Social Security,

 Defendant.

1:15-cv-01442 AWI-GSA

**ORDER REQUIRING A RESPONSE FROM
PLAINTIFF RE: APPOINTMENT OF
COUNSEL NO LATER THAN MARCH 30,
2018**

On February 22, 2018, an order was issued advising Plaintiff that the Court *sua sponte* determined that appointment of counsel was warranted. The Court contacted attorney Jonathan Pena who agreed to represent Plaintiff. (Doc. 39). The Court's previous order required that Plaintiff advise the Court of whether he would accept the appointment of counsel no later than March 2, 2018. To date, Plaintiff has not responded to the Court's order. As such, the Court will give Plaintiff one further opportunity to comply with the Court's previous order. Accordingly, **no later than March 30, 2018**, Plaintiff shall file a statement indicating whether or not he will accept the appointment of counsel. If no response is filed, the Court will presume that Plaintiff accepts the appointment of counsel and will have Mr. Pena contact the Plaintiff. Once counsel is appointed, the Court expects that Plaintiff will cooperate with Mr. Pena and assist him with the

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prosecution of the case, or the appointment of counsel will be rescinded and Mr. Pena will be permitted to withdraw.

IT IS SO ORDERED.

Dated: March 15, 2018

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE