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

MARIA TERESA CISNEROS- BELLO,)	Case No.: 1:15-cv-01698- JLT
Plaintiff,)	ORDER DENYING PLAINTIFF’S REQUEST FOR A THIRD EXTENSION OF TIME WITHOUT PREJUDICE
v.)	
CAROLYN W. COLVIN, Acting Commissioner of Social Security,)	(Doc. 15)
Defendant.)	

On September 8, 2016, Plaintiff filed a stipulation of the parties to extend time for Plaintiff to file her opening brief. (Doc. 10) Importantly, the Scheduling Order allows only for a single extension of thirty days by the stipulation of the parties (Doc. 5 at 4), and this is the third request sought by Plaintiff. (*See* Docs. 10, 13) Beyond the single extension by stipulation, “requests to modify [the scheduling] order must be made by written motion and will be granted only for good cause.” (Doc. 5 at 4) Thus, the Court construes the stipulation of the parties to be a motion by Plaintiff for further modification of the Scheduling Order.

Previously, Plaintiff’s counsel, Stephen Rosales, reported that his wife has been hospitalized several times this summer due to illness and complications from surgery. (Doc. 13 at 2) Therefore, Mr. Rosales requested additional time “in order to properly address the issues within the administrative record in this matter.” (*Id.*) The Court observed that Defendant did not oppose the extension, and

1 found good cause to amend the briefing schedule. (Doc. 14 at 1-2) The Court granted the request and
2 ordered Plaintiff to “file an opening brief on or before **September 6, 2016.**” (*Id.* at 2, emphasis in
3 original) In addition, the Court cautioned the parties that “no further extensions will be granted without
4 the showing of exceptionally good cause.” (*Id.*)

5 Plaintiff failed to file her opening brief by the deadline imposed by the Court, and instead filed a
6 third stipulation for an extension of time on September 8, 2016. (Doc. 15) Significantly, the
7 information provided in support of the extension is nearly identical to the prior stipulation. (*Compare*
8 Doc. 13 at 2 *with* Doc. 15 at 2) The only new information provided is that Mr. Rosales now asserts that
9 his “wife has required assistance in the home due to ambulatory issues.” (Doc. 15 at 2.)

10 The Court finds Plaintiff has not provided sufficient information such that the Court is able to
11 find she could not timely prepare an opening brief in the matter. Accordingly, the request for a third
12 extension of time is **DENIED WITHOUT PREJUDICE.**

13 If Plaintiff’s counsel seeks to renew his motion for an extension of time, the motion SHALL
14 demonstrate why a further extension of time is not prejudicial to his client or the respondent and
15 provide a firm date by which he will file an opening brief on behalf of Ms. Cisneros-Bello.

16
17 IT IS SO ORDERED.

18 Dated: September 9, 2016

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE