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5 **UNITED STATES DISTRICT COURT**

6 EASTERN DISTRICT OF CALIFORNIA

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8 HECTOR PULIDO,

9 Plaintiff,

10
11 v.

12 COMMISSIONER OF SOCIAL SECURITY,

13 Defendant.
14

) Case No. 1:16-cv-01155-SAB
)

) ORDER REQUIRING PLAINTIFF TO
) SHOW CAUSE WHY SANCTIONS
) SHOULD NOT ISSUE FOR FAILURE TO
) COMPLY WITH SCHEDULING ORDER

) (ECF No. 16)

) SEVEN DAY DEADLINE
)
)

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16 On August 5, 2016, Plaintiff filed the present action in this court seeking review of the
17 Commissioner's denial of an application for benefits. On August 9, 2016, the Court issued a
18 scheduling order. (ECF No. 6). The scheduling order states that within 95 days from the filing
19 of the administrative record, Plaintiff shall file an opening brief. Defendant lodged the Social
20 Security administrative record on January 20, 2017. (ECF No. 11.) On April 24, 2017, the
21 Court granted the parties stipulation for an extension of time to file an opening brief. (ECF No.
22 16.) Pursuant to the stipulation, Plaintiff's opening brief was due on or before May 19, 2017.
23 (Id.) Plaintiff did not file an opening brief in compliance with the April 24, 2017 order.

24 Local Rule 110 provides that "[f]ailure of counsel or of a party to comply with these
25 Rules or with any order of the Court may be grounds for imposition by the Court of any and all
26 sanctions . . . within the inherent power of the Court." The Court has the inherent power to
27 control its docket and may, in the exercise of that power, impose sanctions where appropriate,
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1 including dismissal of the action. Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir.
2 2000).

3 Accordingly, IT IS HEREBY ORDERED that Plaintiff shall file a written response to
4 this order to show cause why this action should not be dismissed for failure to prosecute within
5 seven (7) days of the date of service of this order. Failure to comply with this order to show
6 cause shall result in this action being dismissed for failure to prosecute.

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8 IT IS SO ORDERED.

9 Dated: May 24, 2017


UNITED STATES MAGISTRATE JUDGE