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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DINA GONZALES,
Plaintiff,
v.
NANCY A. BERRYHILL,
Acting Commissioner of Social Security,
Defendant.

Case No. 1:16-cv-01765-SKO

**ORDER THAT PLAINTIFF FILE A
WRITTEN STATEMENT SHOWING
CAUSE WHY CASE SHOULD NOT BE
DISMISSED OR THAT PLAINTIFF FILE
AN OPENING BRIEF**
(Doc. 5)

On November 21, 2016, Plaintiff, represented by counsel and proceeding *in forma pauperis*, filed the present action in this Court. (Doc. 1.) Plaintiff seeks review of the Commissioner’s denial of her application for benefits. (Doc. 1.)

The Court entered a Scheduling Order on November 22, 2016. (Doc. 5.) Pursuant to the Scheduling Order, Plaintiff’s Opening Brief was due **July 11, 2017**—95 days from service of the administrative record on April 7, 2017 (Doc. 9). (*See* Doc. 5.) On July 11, 2017, Plaintiff failed to file and serve her Opening Brief with the Court and on opposing counsel. (*See* Docket.) Plaintiff is, therefore, ordered to show cause, if any, why the action should not be dismissed for failure to comply with the Court’s Scheduling Order and for want of prosecution. (Doc. 5.) Alternatively, Plaintiff may file an Opening Brief.

Accordingly, it is **HEREBY ORDERED** that:

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1. By no later than **August 14, 2017**, Plaintiff shall **either**:
 - a. file a written response to this Order showing cause why the Court should not dismiss this action for failure to comply with the Court's Scheduling Order and for want of prosecution; or
 - b. file an Opening Brief.

Failure to respond to this Order to Show Cause will result in dismissal of this action.

IT IS SO ORDERED.

Dated: August 3, 2017

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE