

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**
7 **EASTERN DISTRICT OF CALIFORNIA**
8

9 KENT ANTHONY RUTLEDGE) Case No.: 1:17-cv-00366-SAB
10 Plaintiff,)
11 v.) ORDER DISCHARGING ORDER TO
12 COMMISSIONER OF SOCIAL) SHOW CAUSE AND GRANTING
13 SECURITY.) THIRD STIPULATION TO EXTEND
14 Defendant.) TIME TO FILE OPENING BRIEF
15) (ECF Nos. 15, 16)
16) DEADLINE: APRIL 9, 2018
17)
18)
19)
20)
21)
22)
23)
24)
25)
26)

27 On February 6, 2018, an order issued requiring Plaintiff to show cause why
28 this action should not be dismissed for the failure to file his opening brief in
29 compliance with a December 19, 2017 order. Plaintiff filed a reply on February
30 7, 2018.

31 Based on Plaintiff's response, the Court shall discharge the order to show
32 cause and extend time for the opening brief to be filed. But Plaintiff is advised
33 that any request for an extension of time must be filed prior to the expiration of
34 the deadline and counsel's explanation that she thought about seeking a
35 stipulation on the due date demonstrates a lack of diligence in complying with
36

1 this Court's orders. Any further such instances will result in the issuance of
2 monetary sanctions.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The order to show cause filed on February 6, 2018 is
5 DISCHARGED;
6
7 2. Plaintiff shall file her opening brief on or before April 9, 2018; and
8
9 3. Any further requests for an extension of time shall be filed prior to
10 the expiration of the deadline and failure to comply will result in the
11 issuance of monetary sanctions.
12

13 IT IS SO ORDERED.

14 Dated: February 8, 2018


UNITED STATES MAGISTRATE JUDGE