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5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF CALIFORNIA**
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8 ALEJANDRO IBARRA,

9 Plaintiff,

10 v.

11 COMMISSIONER OF SOCIAL SECURITY,

12 Defendant.

Case No. 1:17-cv-00452-SAB

**ORDER REQUIRING DEFENDANT TO
FILE COPY OF ADMINISTRATIVE
RECORD WITHIN FOURTEEN DAYS**

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14 On March 29, 2017, Plaintiff filed the present action in this court seeking review of the
15 Commissioner's denial of an application for benefits. (ECF No. 1.) On March 31, 2017, the
16 Court issued a scheduling order. (ECF No. 7). The scheduling order states that within 120 days
17 after service, Defendant shall file and serve a copy of the administrative record which shall be
18 deemed an answer to the complaint. On April 18, 2017, proof of service was returned showing
19 that Defendant was served by certified mail on April 3, 2017. (ECF No. 9.) Defendant has not
20 filed the administrative record in compliance with the March 31, 2017 scheduling order.

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

27 Accordingly, IT IS HEREBY ORDERED that:

28 1. Within fourteen (14) days from the date of service of this order, Defendant shall

1 file and serve a copy of the administrative record; and

- 2 2. Failure to respond to this order could result in the imposition of sanctions, up to
3 an including an entry of default.

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5 IT IS SO ORDERED.

6 Dated: August 7, 2017


UNITED STATES MAGISTRATE JUDGE

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