

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

ALEJANDRO IBARRA,

Plaintiff,

V.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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

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

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

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

Accordingly, IT IS HEREBY ORDERED that:

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.

4  
5 IT IS SO ORDERED.  
6

7 Dated: August 7, 2017  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

  
UNITED STATES MAGISTRATE JUDGE