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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

JORGE RIOS,  
Plaintiff,  
v.  
COMMISSIONER OF SOCIAL SECURITY,  
Defendant.

Case No. 1:17-cv-00728-SAB  
ORDER GRANTING PLAINTIFF’S  
APPLICATION TO FILE A LATE BRIEF  
(ECF No. 14)

Plaintiff Jorge Rios (“Plaintiff”) filed a complaint on May 25, 2017, challenging the denial of his application for benefits by the Commissioner of Social Security (“the Commissioner”). The scheduling order was filed on June 19, 2017. On October 24, 2017, the Commissioner filed the administrative record.

Pursuant to the scheduling order issued June 19, 2017, Plaintiff’s opening brief was due on Friday, February 2, 2018. On Sunday, February 4, 2018, Plaintiff filed an application to file a late brief and an opening brief.

Plaintiff seeks to file a late brief due to the due date being mis-calendared. The brief was filed over the weekend and the Court finds no prejudice to the defendant due to the two day delay in the filing of the opening brief. Further, counsel did the responsible thing by noting the mistake and filing the brief.

Accordingly, IT IS HEREBY ORDERED that:

