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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

EUGENIA BROWN,

 Plaintiff,

 v.

COMMISSIONER OF SOCIAL SECURITY,

 Defendant.

Case No. 1:17-cv-00950-SAB

ORDER STRIKING PLAINTIFF’S
REQUEST FOR JUDICIAL NOTICE FROM
THE RECORD

(ECF No. 14)

On July 14, 2017, Plaintiff filed this action. On July 17, 2017, the Court issued a scheduling order. (ECF No. 3-1.) The scheduling order states that Plaintiff’s reply brief shall be filed with the Court within 15 days after service of Defendant’s responsive brief. Defendant’s responsive brief was filed on March 23, 2018.¹ (ECF No. 13.) Therefore, the deadline for Plaintiff to file a reply brief was April 9, 2018.

On April 10, 2018, Plaintiff filed a reply brief, which she docketed as a request for judicial notice. (ECF No. 14.) Therefore, Plaintiff’s reply brief was filed a day late. Plaintiff did not file a stipulation or motion to file her reply brief nunc pro tunc.

In the Court’s January 5, 2018 order denying the stipulation for an extension of time to file the opening brief as unnecessary, the Court advised the parties that requests for modification of the briefing schedule would not routinely be granted and would only be granted upon a

¹ The Court notes that Plaintiff was electronically served with Defendant’s responsive brief on March 23, 2013.

1 showing of good cause. (ECF No. 10.) In addition, the parties were advised that for requests to
2 modify the briefing schedule done after a deadline, the party seeking an extension must show
3 additional good cause why the matter was filed late with the request for nunc pro tunc.

4 Therefore, the request for judicial notice shall be stricken from the record. If Plaintiff
5 wishes to file a reply brief, she must file a request to file her reply brief nunc pro tunc, setting
6 forth the appropriate legal rationale, along with her reply brief.²

7 Accordingly, IT IS HEREBY ORDERED that the request for judicial notice (ECF No.
8 14) is STRICKEN FROM THE RECORD.

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10 IT IS SO ORDERED.

11 Dated: April 11, 2018


UNITED STATES MAGISTRATE JUDGE

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28 ² She should also be careful to select the correct event when docketing her reply brief. Her reply brief should not be docketed as a request for judicial notice.