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7 **UNITED STATES DISTRICT COURT**
8 **EASTERN DISTRICT OF CALIFORNIA**
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10 EUGENIA BROWN,
11 Plaintiff,

12 v.

13 COMMISSIONER OF SOCIAL SECURITY,
14 Defendant.

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

ORDER GRANTING PLAINTIFF'S
REQUEST TO FILE HER REPLY BRIEF
NUNC PRO TUNC

(ECF Nos. 16, 18, 19)

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

21 On April 10, 2018, Plaintiff filed a reply brief, which she docketed as a request for
22 judicial notice. (ECF No. 14.) Therefore, Plaintiff's reply brief was filed a day late. Plaintiff
23 did not file a stipulation or motion to file her reply brief nunc pro tunc. On April 12, 2018, the
24 Court struck Plaintiff's reply brief (ECF No. 14) from the record. (ECF No. 15.)

25 On April 12, 2018, Plaintiff filed a request to file her reply brief nunc pro tunc.² (ECF
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27 ¹ The Court notes that Plaintiff was electronically served with Defendant's responsive brief on March 23, 2013.

28 ² Plaintiff first docketed her request to file her reply brief nunc pro tunc as a reply, but she then docketed the same request with the correct name.

1 Nos. 16, 18.) She also filed her reply. (ECF No. 19.) Plaintiff indicates in her request that a
2 calendaring error caused the delay in filing her reply brief. Plaintiff's counsel relied upon a
3 calendaring system which transferred the court's deadline of 15 days to file the reply brief to a
4 default deadline of 20 days to file the reply brief. Plaintiff's counsel indicates that the
5 computational error has been eliminated. The Court finds good cause to grant Plaintiff's request
6 to file her reply brief nunc pro tunc in this instance. However, Plaintiff's counsel is reminded to
7 carefully read the Court's orders and to ensure that deadlines are correctly calendared.

8 Accordingly, IT IS HEREBY ORDERED that Plaintiff's request to file her reply nunc
9 pro tunc is GRANTED and her reply is timely filed.

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11 IT IS SO ORDERED.

12 Dated: April 13, 2018


UNITED STATES MAGISTRATE JUDGE