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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARVIN LEE MILLIKAN, JR.,
Plaintiff,
v.
COMMISSIONER OF SOCIAL
SECURITY,
Defendant.

Case No. 1:17-cv-01360-SAB
ORDER REQUIRING DEFENDANT TO SHOW
CAUSE WHY PLAINTIFF’S SOCIAL
SECURITY APPEAL SHOULD NOT BE
DEEMED UNOPPOSED
FIVE-DAY DEADLINE

On May 3, 2018, an order issued granting the parties stipulation to extend time for briefing. Pursuant to the May 3, 2018 order, Defendant’s response to Plaintiff’s opening brief was to be filed on or before July 30, 2018. (ECF No. 11.) Defendant has not filed an opposition brief in compliance with the May 3, 2018 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, within five (5) days from the date of service of this order, Defendant shall either file a written response to this order to show cause

1 why Plaintiff's opening brief should not be deemed unopposed or file an opposition to Plaintiff's
2 opening brief.

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4 IT IS SO ORDERED.

5 Dated: July 31, 2018


UNITED STATES MAGISTRATE JUDGE

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