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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TARSCHILLA FORIEST,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:17-cv-01567-SAB

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

On November 21, 2017, Plaintiff Tarschilla Foriest filed the present action in this court seeking review of the Commissioner’s denial of an application for benefits. (ECF No. 1.) On November 27, 2017, the Court issued a scheduling order. (ECF No. 6). The scheduling order states that within one hundred twenty (120) days after service of the complaint, Defendant shall file and serve a copy of the administrative record which shall be deemed an answer to the complaint. On December 28, 2017, Plaintiff filed a proof of service showing that Defendant was served by certified mail on December 27, 2017. (ECF No. 8.) Defendant has not filed the administrative record in compliance with with 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,

1 including dismissal of the action. Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir.
2 2000).

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. Within fourteen (14) days from the date of service of this order, Defendant shall
5 file and serve a copy of the administrative record; and
- 6 2. Failure to respond to this order could result in the imposition of sanctions, up to
7 and including an entry of default.

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9 IT IS SO ORDERED.

10 Dated: May 3, 2018


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UNITED STATES MAGISTRATE JUDGE