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5 **UNITED STATES DISTRICT COURT**

6 EASTERN DISTRICT OF CALIFORNIA

8 PATRICIA J. MCNEIL,

9 Movant,

10 v.

11 SOCIAL SECURITY ADMINISTRATION,
12 OFFICE OF THE INSPECTOR GENERAL,

13 Respondent.

Case No. 1:17-mc-00036-SAB

ORDER REQUIRING MOVANT TO SHOW
CAUSE WHY THIS ACTION SHOULD
NOT BE DISMISSED FOR FAILURE TO
COMPLY WITH COURT ORDER

TEN DAY DEADLINE

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15 This is a miscellaneous action filed by Movant Patricia J. McNeil (“Movant”)
16 challenging Respondent, Social Security Administration, Office of the Inspector General’s
17 (“Social Security Administration”) attempt to obtain access to her financial records from
18 Comerica Bank/Direct Express Card (“Comerica”) pursuant to the Right to Financial Privacy Act
19 of 1978 (“RFPA”). It appears that the Social Security Administration issued a subpoena,
20 summons, or formal written request seeking to obtain Movant’s financial records from Comerica.

21 On June 16, 2017, an order was filed requiring movant to file an amended motion within
22 thirty days. (ECF No. 2.) More than thirty days has passed and movant has not filed an
23 amended motion or otherwise responded to the Court’s June 16, 2017 order.

24 Local Rule 110 provides that “[f]ailure of counsel or of a party to comply with these
25 Rules or with any order of the Court may be grounds for imposition by the Court of any and all
26 sanctions . . . within the inherent power of the Court.” The Court has the inherent power to
27 control its docket and may, in the exercise of that power, impose sanctions where appropriate,
28 including dismissal of the action. Bautista v. Los Angeles County, 216 F.3d 837, 841 (9th Cir.

1 2000).

2 Accordingly, the Court HEREBY ORDERS MOVANT PATRICIA M. McNEIL TO
3 SHOW CAUSE within **ten (10) days** of the date of entry of this order why this action should not
4 be dismissed for her failure to comply with the June 16, 2017 order requiring her to file an
5 amended motion. **Plaintiff is forewarned that the failure to show cause may result in the**
6 **imposition of sanctions, including the dismissal of this action for failure to obey a court**
7 **order and to prosecute.**

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9 IT IS SO ORDERED.

10 Dated: August 1, 2017


UNITED STATES MAGISTRATE JUDGE

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