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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHRISTY MCDOWELL,

Plaintiff,

No. CIV S-09-1293 DAD

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

ORDER

_____/

Plaintiff commenced this action on May 8, 2009. On September 16, 2009, defendant filed a timely answer to plaintiff’s complaint and lodged a copy of the administrative record. Due to plaintiff’s failure to prosecute the case thereafter, the court issued an order to show cause on December 8, 2009. Upon consideration of plaintiff’s response and motion for extension of time to February 12, 2010 to file a summary judgment motion, the court discharged the order to show cause and granted the extension of time requested by plaintiff. On March 30, 2010, more than six weeks after the extension of time had expired, plaintiff moved for a further extension of time to April 16, 2010. The motion was granted by order filed March 31, 2010. Plaintiff’s motion is now four weeks overdue under that latest extension of time.

Plaintiff is granted a final extension of time to June 1, 2010, to file the motion for summary judgment and/or remand that was initially due 45 days after September 16, 2009. The

1 court will not entertain any application, request, motion, or stipulation for a further extension of
2 time for this purpose.

3 IT IS HEREBY ORDERED that plaintiff's time to file a motion for summary
4 judgment and/or remand in this case is extended to 5:00 p.m. on June 1, 2010. This is plaintiff's
5 final extension of time for this purpose. Plaintiff's failure to file the required motion by 5:00
6 p.m. on June 1, 2010 will result in dismissal of the action for lack of prosecution.

7 DATED: May 17, 2010.

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11 DALE A. DROZD
12 UNITED STATES MAGISTRATE JUDGE

11 DAD:kw
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