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

GABRIEL VAUPELL,

Plaintiff,

No. CIV S-10-0022 EFB

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

ORDER TO SHOW CAUSE

_____ /
The above-captioned action is proceeding before the undersigned pursuant to the consent of the parties. E.D. Cal. L.R. 305; Fed. R. Civ. P. 73. On January 7, 2010, the undersigned issued a scheduling order herein which provided, among other things, that “[w]ithin forty-five (45) days after being served with the administrative record, plaintiff shall file a motion for summary judgment and/or remand.” Dckt. No. 6 at 2. The order further stated that “[f]ailure to comply with any portion of this order may result in the ‘imposition by the Court of any and all sanctions authorized by statute or Rule or within the inherent power of the Court.’ L.R. 110.” *Id.*

Although the administrative record was served on plaintiff on May 20, 2010, Dckt. No. 13, the docket reveals that plaintiff has not yet filed a motion for summary judgment and/or remand (even though such a motion was due on or before July 5, 2010). Accordingly, plaintiff is

1 ordered to show cause, in writing, on or before August 25, 2010, why he should not be
2 sanctioned for failure to comply with the January 7, 2010 order. *See* L.R. 110 (providing that
3 failure to comply with the Local Rules or a court order “may be grounds for imposition by the
4 Court of any and all sanctions authorized by statute or Rule or within the inherent power of the
5 Court.”). Plaintiff shall also file a motion for summary judgment and/or remand on or before
6 August 25, 2010. Failure to timely file the required writings may result in dismissal and the
7 imposition of monetary sanctions. *See* Fed. R. Civ. P. 41(b).

8 SO ORDERED.

9 DATED: August 3, 2010.

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11 EDMUND F. BRENNAN
12 UNITED STATES MAGISTRATE JUDGE
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