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

CARLOS URBANO,

Plaintiff,

No. CIV S-10-2007 EFB

vs.

MICHAEL J. ASTRUE,

Defendant.

ORDER

_____ /

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 May 2, 2011, the undersigned issued an order requiring plaintiff to show cause why he should not be sanctioned for failure to timely file a motion for summary judgment and/or remand, and directing plaintiff to file a motion for summary judgment and/or remand on or before May 23, 2011. Dckt. No. 18.

On May 23, 2011, plaintiff's counsel filed a response to the order to show cause, acknowledging her failure and apologizing for her oversight. Dckt. No. 19. Also on May 23, 2011, plaintiff filed a motion for summary judgment. Dckt. No. 20.

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1 Accordingly, IT IS HEREBY ORDERED that the May 2, 2011 order to show cause,
2 Dckt. No. 18, is discharged and plaintiff's motion for summary judgment, Dckt. No. 20, is
3 deemed timely filed.

4 SO ORDERED.

5 DATED: June 3, 2011.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE

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