

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

BRUCE EDWARD ELLIS II,

Plaintiff,

No. 2:11-cv-00922 KJN

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

ORDER TO SHOW CAUSE

_____/

Plaintiff was previously represented in this Social Security benefits appeal by attorney Ian M. Sammis.¹ On September 26, 2011, attorney Robert C. Weems appeared in this action as plaintiff’s retained counsel and indicated in his notice of appearance that Mr. Sammis passed away on May 29, 2011. (See Notice of Appearance, Dkt. No. 15.) Despite appearing in this action, Mr. Weems has not yet filed a timely motion for summary judgment or request for voluntary remand on behalf of plaintiff in accordance with the scheduling order in this case.² (See Scheduling Order at 2, Apr. 15, 2011, Dkt. No. 6.) Moreover, plaintiff and defendant have not filed a stipulation and proposed order seeking to continue the briefing deadlines set forth in

¹ This case proceeds before the undersigned pursuant to Eastern District of California Local Rule 302(c)(15) and 28 U.S.C. § 636(b)(1).

² The administrative transcript was lodged with the court on August 10, 2011 (Dkt. No. 14).

1 the scheduling order.

2 Accordingly, IT IS HEREBY ORDERED that:

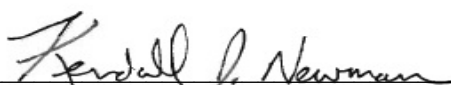
3 1. Plaintiff shall show cause in writing, no later than December 23, 2011, why
4 plaintiff has not prosecuted this action in accordance with the timing requirements stated in the
5 scheduling order.

6 2. On or before December 23, 2011, plaintiff shall take steps to prosecute this
7 case in accordance with the court's scheduling order.

8 IT IS SO ORDERED.

9 DATED: November 14, 2011

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE