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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KIMBERLY K. MORRISON,  
  
Plaintiff,  
  
v.  
  
CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,  
  
Defendant.

No. 2:12-cv-1021-EFB

ORDER DISCHARGING ORDER TO SHOW  
CAUSE

On September 30, 2013, the court denied plaintiff’s motion for summary judgment, granted defendant’s cross-motion for summary judgment, and entered judgment accordingly. ECF Nos. 22, 23. On October 30, 2013, plaintiff filed a motion to amend the judgment. ECF No. 24. On the same date, the court issued a minute order directing defendant to file a response to plaintiff’s motion within 21 days. ECF No. 25.

Defendant failed to file a response within the 21 day period. Therefore, on April 30, 2014, defendant was ordered to show cause, in writing, no later than May 14, 2014, why sanctions should not be imposed for failure to comply with the October 30, 2013 order. On May 12, 2014, defendant filed a response to the April 30 order to show cause. ECF No. 29. Counsel for defendant explains that she contacted plaintiff’s counsel to notify him that the motion to amend the judgment was untimely and requested that the motion be withdrawn on that basis. *Id.*

1 at 2. Plaintiff's counsel agreed to withdraw the motion, but failed to timely do so. *Id.* On May 1,  
2 2014, subsequent to the court's issuance of the order to show cause, plaintiff withdrew her motion  
3 to amend the judgment. ECF No. 28. Plaintiff's pleading explains that she did not previously  
4 withdraw the motion due to an oversight. *Id.* In light of the parties' representations, the April 30,  
5 2014 order to show cause is discharged and no sanctions will be imposed.

6 So Ordered

7 DATED: May 20, 2014.

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9 EDMUND F. BRENNAN  
10 UNITED STATES MAGISTRATE JUDGE  
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