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

JAMES D.A. SMITH,

No. 2:13-CV-0665-CMK

Plaintiff,

vs.

ORDER

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

\_\_\_\_\_ /

Plaintiff, who is proceeding with retained counsel, brings this action under 42 U.S.C. § 405(g) for judicial review of a final decision of the Commissioner of Social Security. Pending before the court is plaintiff's motion (Doc. 19) for an extension of time to file a dispositive motion in this matter. Good cause appearing therefor, the motion is granted nunc pro tunc to January 21, 2014, the date plaintiff filed his dispositive motion, which is considered timely.

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1 A review of the docket reflects that defendant has notified the court regarding  
2 consent to proceed before a Magistrate Judge. Plaintiff, however, has not notified the court  
3 regarding consent. Pursuant to the court's scheduling order and Eastern District of California  
4 Local Rules, Appendix A, the time to do so has now expired.

5 Plaintiff shall show cause in writing, within 30 days of the date of this order, why  
6 this action should not be dismissed for failure to inform the court regarding consent to Magistrate  
7 Judge jurisdiction, as required by the court's scheduling order. The Clerk of the Court is directed  
8 to serve on plaintiff a copy of the court's form entitled "Consent to Assignment or Request for  
9 Reassignment." Plaintiff is warned that failure to respond to this order may result in the  
10 dismissal of the action for the reasons discussed above, as well as for failure to prosecute and  
11 comply with court rules and orders. See Local Rule 110.

12 IT IS SO ORDERED.

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14 DATED: February 4, 2014

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16 **CRAIG M. KELLISON**  
17 UNITED STATES MAGISTRATE JUDGE  
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