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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GERALD McCALLION,
Plaintiff,
v.
CAROLYN W. COLVIN, Acting
Commissioner of Social Security,
Defendant.

No. 2:13-cv-1595 CKD PS

ORDER

The administrative transcript in this action was filed December 3, 2013. Under the scheduling order filed August 12, 2013, plaintiff was directed to file a motion for summary judgment and/or remand within 45 days from being served with a copy of the administrative record. That time has now expired and plaintiff has failed to comply with the court's scheduling order.

Plaintiff was reminded in the order filed November 7, 2013 of the timeline for filing a motion for summary judgment. Plaintiff failed to timely file a motion for summary judgment. By order filed February 24, 2014, plaintiff was granted an extension of time to file a motion for summary judgment and directed to file a motion for summary judgment no later than March 21, 2014. Plaintiff responded to that order by requesting appointment of counsel. By order filed April 4, 2014, the request for appointment of counsel was denied and plaintiff was directed to file

1 a motion for summary judgment no later than April 17, 2014. That time has now expired, and
2 plaintiff has not complied with the April 4, 2014 order or otherwise responded to the court's
3 orders directing plaintiff to file a motion for summary judgment.

4 Accordingly, IT IS HEREBY ORDERED that this action is dismissed without prejudice.

5 Dated: April 22, 2014

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7 _____
8 CAROLYN K. DELANEY
9 UNITED STATES MAGISTRATE JUDGE

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