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

CAMILLE WHEAT,

No. 2:14-cv-0688-CMK PS

Plaintiff,

vs.

ORDER

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

_____ /

Plaintiff, who is proceeding *in propria persona*, brings this action for judicial review of a final decision of the Commissioner of Social Security under 42 U.S.C. § 405(g). Pending before the court is defendant’s motion to dismiss (Doc. 14), currently set for hearing before the undersigned in Redding, California, on April 29, 2015. Plaintiff has responded to this motion with a motion to change venue (Doc. 15).

In her motion, plaintiff indicates that she lacks transportation and the ability to travel from Davis to Redding in order to attend the hearing. The undersigned acknowledges public transportation to Redding can be difficult. However, as the court has the ability to hold hearings telephonically or by video conference, it is unnecessary to reassign this case to a different judge located in Sacramento. In order to accommodate plaintiff’s transportation

1 difficulties, the court will continue the hearing and allow the parties to waive oral arguments,
2 appear either telephonically through CourtCall, or through the court's internal video conference
3 from a courtroom in Sacramento. A courtroom will be made available to the parties, and the
4 court in Sacramento will conference in with the court in Redding.

5 Finally, the court notes that no actual opposition to the motion to dismiss has been
6 filed. Given the continuance of the hearing date, pursuant to the local rules, any opposition to the
7 motion to dismiss shall be filed and served no later than 14 days prior to the continued hearing
8 date. Plaintiff is cautioned that failure to file an opposition, addressing the jurisdictional reasons
9 defendant contends dismissal is required, may result in the hearing being taken off calendar and
10 submitted on the papers.

11 Accordingly, IT IS HEREBY ORDERED that:

12 1. Plaintiff's motion to change venue (Doc. 15) is granted in part;

13 2. The hearing on defendant's motion to dismiss, on calendar April 29, 2015,
14 is continued to May 27, 2015, at 10:00 a.m.;

15 3. The parties shall inform the court, on or before May 13, 2015, whether
16 they wish to waive oral argument, appear in person in Redding, appear via video conference from
17 Sacramento, or appear telephonically through CourtCall;

18 4. For those appearing through the Sacramento Courthouse, the hearing will
19 be held in at 501 I Street, Courtroom 9, 13th Floor;

20 5. Plaintiff's opposition to the motion shall be filed in accordance with Local
21 Rule 230(c), at least 14 days prior to the hearing date; and

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1 6. The Clerk of the Court is directed to serve a copy of this order on the
2 Judicial Services Supervisor.

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4 DATED: April 27, 2015

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6 **CRAIG M. KELLISON**
7 UNITED STATES MAGISTRATE JUDGE
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