

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  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KENNEISHA MOORE,  
Plaintiff,  
v.  
COMMISSIONER OF SOCIAL  
SECURITY,  
Defendant.

No. 2:14-cv-0820-KJN

ORDER

Presently pending before the court is plaintiff's "request for judgment." (ECF No. 16.) Plaintiff proceeds in this action without counsel.

Pursuant to the court's scheduling order (ECF No. 5), plaintiff's "request for judgment," liberally construed as a motion for summary judgment, is premature, because the Commissioner has not yet filed and served the administrative record. Therefore, the court denies the motion without prejudice as premature and will not consider the contents of that motion. After the Commissioner files the administrative record, plaintiff may file a motion for summary judgment in accordance with the requirements and deadlines set forth in the court's scheduling order.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's "request for judgment" (ECF No. 16) is denied without prejudice as premature.

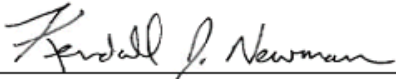
///

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  
27  
28

2. The Clerk of Court shall serve another copy of the court's previous scheduling order (ECF No. 5) on plaintiff by mail.

IT IS SO ORDERED.

Dated: January 9, 2015

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE