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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

SAUNDRA L. JONES,  
Plaintiff,  
v.  
COMMISSIONER OF SOCIAL  
SECURITY,  
Defendant.

No. 2:16-cv-1360-KJN

ORDER

On April 4, 2017, the court issued an order requiring the Commissioner to show cause why sanctions should not be imposed for failure to timely file a response to plaintiff’s motion for summary judgment. (ECF No. 21.) Thereafter, on April 14, 2017, the Commissioner filed its cross-motion for summary judgment, as well as a response to the order to show cause, which apologized for counsel’s failure, as a relatively new attorney to his office, to properly calendar the opposition deadline. (ECF Nos. 22, 23.) In light of counsel’s candor and apology, as well as his commitment to better calendaring practices in the future, the court declines to impose sanctions in this instance. However, counsel is cautioned that future failure to comply with court deadlines and orders may result in the imposition of monetary or any other appropriate sanctions.

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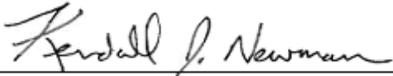
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Accordingly, IT IS HEREBY ORDERED that:

1. The April 4, 2017 order to show cause is DISCHARGED.
2. The Commissioner's cross-motion for summary judgment is deemed timely filed.
3. Plaintiff may file any reply brief within 21 days of this order. Thereafter, the matter will be submitted for decision on the record and written briefing.

IT IS SO ORDERED.

Dated: April 17, 2017

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE