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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

THEODORE ALLAN SMITH,
Plaintiff,
v.
COMMISSIONER OF SOCIAL
SECURITY,
Defendant.

No. 2:17-cv-01168 AC

ORDER

On March 12, 2018, the court issued an Order to Show Cause (“OSC”) directing plaintiff to explain in writing why his failure to file a motion for summary judgment, or in the alternative a request for voluntary remand, should not be deemed a waiver of the right to file such a motion at any time, and why this case should not be dismissed for failure to prosecute. See ECF No. 16.

Plaintiff has now filed the overdue motion for summary judgment (ECF No. 17), although counsel has not explained the delay or otherwise responded to the substance of the OSC. The court will nonetheless discharge the March 13, 2018 OSC. However, counsel is strongly cautioned that the court will enforce its deadlines in the future and that failure to comply with future court orders may result in imposition of any and all sanctions within the inherent power of the court. See L.R. 110.

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1 Accordingly, IT IS HEREBY ORDERED that:

- 2 1. The Order To Show Cause (ECF No. 16) is hereby DISCHARGED in its entirety; and
- 3 2. Defendant's opposition to plaintiff's motion for summary judgment, if any, shall be
- 4 filed within 30 days of service of plaintiff's motion.

5 DATED: March 28, 2018.

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ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE