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

MATTHEW EASTLAND,

No. 2:17-CV-1261-CMK

Plaintiff,

vs.

ORDER

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

_____ /

Plaintiff, who is proceeding with retained counsel, brings this action under 42 U.S.C. § 405(g) for judicial review of a final decision of the Commissioner of Social Security. A review of the docket reflects that defendant has notified the court regarding consent to proceed before a Magistrate Judge. Plaintiff, however, has not notified the court regarding consent. Pursuant to the court’s scheduling order and Eastern District of California Local Rules, Appendix A, the time to do so has now expired. In addition, pursuant to the court’s scheduling order, plaintiff is required to prosecute this action by either seeking voluntary remand or filing a dispositive motion within 45 days from the date of service of the administrative record by defendant. Plaintiff was warned that failure to comply may result in dismissal of this action for

1 lack of prosecution and failure to comply with court rules and orders. See Local Rule 110. A
2 review of the docket reflects that the answer and certified administrative record were served on
3 October 26, 2017. To date, plaintiff has not filed a dispositive motion.

4 Plaintiff shall show cause in writing, within 30 days of the date of this order, why
5 this action should not be dismissed for failure to inform the court regarding consent to Magistrate
6 Judge jurisdiction, and for failure to file a dispositive motion, both as required by the court's
7 scheduling order. Submission of a completed consent election form and dispositive motion shall
8 constitute a sufficient response. The Clerk of the Court is directed to serve on plaintiff a copy of
9 the court's form entitled "Consent to Assignment or Request for Reassignment." Plaintiff is
10 warned that failure to respond to this order may result in the dismissal of the action for the
11 reasons discussed above, as well as for failure to prosecute and comply with court rules and
12 orders. See Local Rule 110.

13 IT IS SO ORDERED.

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15 DATED: January 16, 2018

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17 **CRAIG M. KELLISON**
18 UNITED STATES MAGISTRATE JUDGE
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