1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 RODNEY KEITH FRIZZELL, No. 2:17-cv-01472 AC 12 Plaintiff, 13 **ORDER** v. 14 COMMISSIONER OF SOCIAL SECURITY, 15 Defendant. 16 17 On May, 1, 2018, the court issued an Order to Show Cause ("OSC") directing plaintiff to 18 19 file a written explanation why his failure to file a motion for summary judgment, or in the 20 alternative a request for voluntary remand, should not be deemed a waiver of the right to file such 21 a motion at any time, and why this case should not be dismissed for failure to prosecute. See ECF No. 22. 22 23 Plaintiff has now filed the overdue motion for summary judgment (ECF No. 23), although 24 counsel has not explained the delay or otherwise responded to the substance of the OSC. The 25 court will nonetheless discharge the May 1, 2018 OSC. However, counsel is strongly cautioned 26 that this court will strictly enforce its scheduling orders and other deadlines, and future non-27 compliance may result in imposition of any and all sanctions within the inherent power of the 28 court. See L.R. 110.

## Accordingly, IT IS HEREBY ORDERED that: 1. The Order To Show Cause (ECF No. 22) is hereby DISCHARGED in its entirety; and 2. Defendant's opposition to plaintiff's motion for summary judgment, if any, shall be filed within 30 days of service of plaintiff's motion. DATED: May 10, 2018 UNITED STATES MAGISTRATE JUDGE