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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JASIAH CHANDLER SHOCKENCY,

Plaintiff,

v.

NANCY A. BERRYHILL, Acting
Commissioner of Social Security,

Defendant.

No. 2:17-cv-2427-EFB

ORDER

On April 12, 2018, plaintiff filed a brief in support of remand, challenging the final decision of the Commissioner denying his application for Supplemental Security Income under Title XVI of the Social Security Act. ECF No. 13. Plaintiff requests judgment be entered in his favor and the matter be remanded for further administrative proceedings. ECF No. 13 at 26. Plaintiff, however, did not file a motion for summary judgment. Without plaintiff moving for summary judgment, the court is without authority to enter judgment in his favor should he successfully demonstrate that the Commissioner’s decision is not supported by substantial evidence or the proper legal standards were not applied.

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Accordingly, it is hereby ORDERED that plaintiff shall file a motion for summary judgment within 7 days of the date this order is served. The Commissioner's cross-motion for summary judgment shall be filed 45 days thereafter.

DATED: April 16, 2018.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE