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7 UNITED STATES DISTRICT COURT  
8 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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10 TERESA SAMOY,

11 Plaintiff,

12 v.

13 NANCY A. BERRYHILL, Acting  
14 Commissioner of Social Security,

15 Defendant.  
16

No. 2:18-cv-538-EFB

ORDER

17 On August 10, 2018, plaintiff filed a brief challenging the final decision of the  
18 Commissioner denying her application for Supplemental Security Income under XVI of the  
19 Social Security Act. ECF No. 14. Plaintiff requests the matter be remanded for further  
20 administrative proceedings. *Id.* at 5. Plaintiff, however, did not file a motion for summary  
21 judgment. Without plaintiff moving for summary judgment, the court is without authority to  
22 enter judgment in her favor should she successfully demonstrate that the Commissioner's  
23 decision is not supported by substantial evidence or the proper legal standards were not applied.

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

27 DATED: August 13, 2018.

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EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE