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United States District Court
For the Northern District of California

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROBERT GREYGRASS,

Plaintiff,

No. C 09-02610 JSW

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**ORDER OF DISMISSAL
WITHOUT PREJUDICE FOR
FAILURE TO PROSECUTE**

Based on Plaintiff's failure to file a motion for summary judgment in accordance with Northern District Civil Local Rule 16-5 and the Social Security Procedural Order filed in this action, on January 4, 2010, the Court issued an Order to Show Cause directing Plaintiff to show cause as to why this matter should not be dismissed without prejudice for failure to prosecute. Plaintiff's response was due by January 25, 2010, and the Court advised Plaintiff that failure to respond to the Order to Show Cause, would result in the case being dismissed without prejudice. Plaintiff has not filed a response to the Order to Show Cause. Accordingly, this matter is dismissed without prejudice for failure to prosecute. *See* Fed. R. Civ. P. 41(b). The Clerk shall close the file.

IT IS SO ORDERED.

Dated: February 3, 2010



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 ROBERT GREYGRASS,
5 Plaintiff,

Case Number: CV09-02610 JSW

6 **CERTIFICATE OF SERVICE**

7 v.

8 COMMISSIONER OF SOCIAL SECURITY
9 et al,

Defendant.
/

10
11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
12 Court, Northern District of California.

13 That on February 3, 2010, I SERVED a true and correct copy(ies) of the attached, by placing
14 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by
15 depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office
16 delivery receptacle located in the Clerk's office.

17 Robert Greygrass
18 229 Nevada Avenue
19 Point Richmond, CA 94801

20 Dated: February 3, 2010

Jennifer Ottolini
Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk