

United States District Court  
For the Northern District of California

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

DANIEL RODRIGUEZ,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of  
Social Security

Defendant

No. C 09-2668 MMC

**ORDER DIRECTING PLAINTIFF TO  
SHOW CAUSE WHY ACTION SHOULD  
NOT BE DISMISSED FOR FAILURE TO  
PROSECUTE**

In this action, plaintiff, proceeding pro se, seeks judicial review of a decision of the Social Security Administration. By order filed January 28, 2010, plaintiff was directed to file a motion for summary judgment no later than March 12, 2010. By order filed February 25, 2010, plaintiff was reminded of his obligation to file a motion for summary judgment no later than March 12, 2010. To date, plaintiff has not filed a motion for summary judgment.

In the Court's orders of January 28, 2010 and February 25, 2010, the Court advised plaintiff that the instant action may be dismissed for failure to prosecute if plaintiff failed to file a motion for summary judgment.

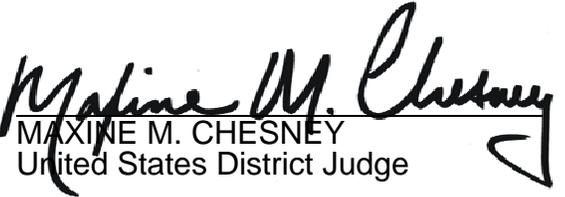
Accordingly, plaintiff is hereby ORDERED TO SHOW CAUSE, in writing and no later than Friday, April 23, 2010, why the instant action should not be dismissed for failure to prosecute, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. To show good

1 cause, plaintiff must file his motion for summary judgment, along with a declaration  
2 explaining why such motion was not filed within the time required by the Court's prior orders.  
3 Plaintiff's response to the Court's order to show cause must be served on defendant's  
4 counsel of record.

5 If plaintiff fails to show good cause in the manner set forth above, the Court will  
6 dismiss the action for failure to prosecute.

7 **IT IS SO ORDERED.**

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9 Dated: April 1, 2010

  
MAXINE M. CHESNEY  
United States District Judge

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