

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

CAROLYN S. POE,
Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,
Defendant.

No. C 09-4061 CRB

**ORDER TO SHOW CAUSE WHY
THIS CASE SHOULD NOT BE
DISMISSED FOR FAILURE TO
PROSECUTE**

This case was removed from state court on September 2, 2009. Doc. 1. That same day, a procedural order was filed instructing Plaintiff to file her motion to remand or for summary judgment within ninety days of Defendant's answer. Doc. 2. Defendant's answer was filed on October 30, 2009. To this date, Plaintiff has failed to file any motion.

This Court hereby ORDERS Plaintiff to show cause why her case should not be dismissed for failure to prosecute. A hearing is hereby set for September 24, 2010, at 8:30am. If Plaintiff wishes to proceed, she must appear at that time and explain her failure to

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1 to abide by this Court's scheduling order.

2 **IT IS SO ORDERED.**

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5 Dated: September 15, 2010

6 CHARLES R. BREYER
7 UNITED STATES DISTRICT JUDGE

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