

UNITED STATES DISTRICT COURT  
Northern District of California

MICHAEL E. PERRY,

Plaintiff(s),

No. C 09-04908 MEJ

v.

**ORDER VACATING OSC**

MICHAEL J. ASTRUE,

Defendant(s).

On October 15, 2009, Plaintiff Michael E. Perry filed an application to proceed in forma pauperis. (Dkt. #2.) On October 19, 2009, the Court ordered Plaintiff to either consent or decline magistrate jurisdiction by November 3, 2009. (Dkt. #4.) Because Plaintiff failed to comply with this deadline, the Court again ordered Plaintiff to consent or decline, with a new deadline of November 18, 2009. (Dkt. #5.) Plaintiff failed to respond. Based on Plaintiff's inaction the Court issued an order for Plaintiff to show cause why sanctions should not be imposed for failure to prosecute and comply with court deadlines. (Dkt. #6.) As Plaintiff has now filed his consent form, and it appears that the failure to e-file it in a timely manner was due to an administrative error, the Court hereby VACATES the December 10, 2009 Order to Show Cause hearing.

**IT IS SO ORDERED.**

Dated: December 2, 2009

  
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Maria-Elena James  
Chief United States Magistrate Judge