

UNITED STATES DISTRICT COURT
For the Northern District of California

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UNITED STATES DISTRICT COURT
Northern District of California

SHENITA M. KING,

Plaintiff(s),

v.

MICHAEL J. ASTRUE,

Defendant(s).

No. C 09-5322 MEJ

ORDER DISCHARGING OSC

ORDER RE BRIEFING SCHEDULE

On June 18, 2010, the Court issued an order for Plaintiff Shenita King to show cause why this case should not be dismissed for failure to prosecute and comply with court deadlines. (Dkt. #19.) Having received Plaintiff's declaration in response, the Court DISCHARGES the order to show cause and ORDERS as follows:

- 1) The Court shall allow Plaintiff the opportunity to retain the services of an attorney to represent her in this matter. Accordingly, the Court shall extend the briefing schedule as follows:
 - a) Plaintiff shall serve and file a motion for summary judgment and/or remand by September 1, 2010.
 - b) Defendant shall serve and file any opposition and/or counter-motion within 30 days of service of Plaintiff's motion.
 - c) Plaintiff shall serve and file a reply within 14 days of service of Defendant's opposition/counter-motion.
- 2) If Plaintiff fails to file a motion by September 1, 2010, the Court shall consider terminating this matter for failure to prosecute.
- 3) In Plaintiff's response to the osc, she includes medical documents that she states she intends to use as evidence. Plaintiff is hereby reminded that the Court's jurisdiction is limited to reviewing the administrative record to determine whether the decision is supported by substantial evidence. Accordingly, no new evidence will be considered. As Defendant's

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provided the administrative record to Plaintiff's former counsel, she must obtain the record from her former counsel or obtain a copy (ie photocopy by herself) from the Clerk's Office at 450 Golden Gate Avenue, San Francisco, 16th Floor.

IT IS SO ORDERED.

Dated: July 7, 2010



Maria-Elena James
Chief United States Magistrate Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

SHENITA M. KING,
Plaintiff,

Case Number: 09-05322 MEJ

v.

CERTIFICATE OF SERVICE

MICHAEL J. ASTRUE,
Defendant.

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

That on June 18, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Shanita Williams-King
460 Inverness Dr
Pacifica CA 94044

Dated: June 18, 2010

Richard W. Wieking, Clerk
By: Brenda Tolbert, Deputy Clerk