

1
2
3
4
5

6 IN THE UNITED STATES DISTRICT COURT

7
8

FOR THE NORTHERN DISTRICT OF CALIFORNIA

9

HELEN MARIE WOODS,

10

Plaintiff,

No. C 11-00351 JSW

11

v.

12

MICHAEL J. ASTRUE,

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

13

Defendant.

14

15

On January 24, 2011, Plaintiff filed a complaint appealing the denial of social security benefits. The Court granted Plaintiff's application to proceed *in forma pauperis*, and the defendant was served. On June 23, 2011, the Defendant filed an answer. Under the Social Security Procedural Order issued on January 24, 2011, Plaintiff's motion for summary judgment was due thirty days after service of Defendant's answer. (See Docket No. 2.) Plaintiff has not filed a motion for summary judgment.

21

Accordingly, on November 3, 2011, the Court issued an Order to Plaintiff directing her to show cause why this case should not be dismissed for failure to prosecute. The Court further ordered that Plaintiff's response to the Order to Show Cause would be due by November 18, 2011, that if she intended to file a motion for summary judgment, Plaintiff must show good cause for her failure to comply with the scheduling order in this case, and that if she failed to file a response to the Order to Show Cause by November 18, 2011, the Court would dismiss this case without prejudice without further notice to Plaintiff.

27

//

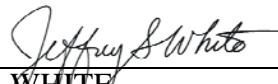
United States District Court

For the Northern District of California

1 Plaintiff has not filed a timely response to the Order to Show Cause as of the date of this
2 Order. Accordingly, this matter is HEREBY DISMISSED WITHOUT PREJUDICE for failure
3 to prosecute.

4 **IT IS SO ORDERED.**

5 Dated: November 28, 2011

6 
7 JEFFREY S. WHITE
8 UNITED STATES DISTRICT JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1
2 HELEN MARIE WOODS,
3 Plaintiff,
4
5 v.
6

7 MICHAEL J. ASTRUE et al,
8 Defendant.
9

10 Case Number: CV11-00351 JSW
11

12 **CERTIFICATE OF SERVICE**
13

14 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S.
15 District Court, Northern District of California.
16

17 That on November 28, 2011, I SERVED a true and correct copy(ies) of the attached, by
18 placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter
19 listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an
20 inter-office delivery receptacle located in the Clerk's office.
21

22
23
24
25
26
27
28
Helen Marie Woods
1179 8th Street
Oakland, CA 94607

Dated: November 28, 2011

Jennifer Ottolini

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