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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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11 ANTHONY J. HILL,

No. C 12-4482 MMC

12 Plaintiff,

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

13 v.

14 CAROLYN W. COLVIN,

15 Acting Commissioner, Social  
Security Administration  
16 \_\_\_\_\_/17  
18 In this action, plaintiff seeks judicial review of an administrative law judge's ("ALJ")  
19 decision denying plaintiff's application for supplemental security income benefits.20 By order filed February 11, 2013, the Court directed plaintiff to file a motion for  
21 summary judgment no later than March 28, 2013. On March 28, 2013, plaintiff, who  
22 proceeds pro se, submitted to the Clerk of Court his copy of the administrative record,<sup>1</sup>  
23 along with a copy of the Court's order of February 11, 2013, and orally requested the Clerk  
24 file said documents as his motion for summary judgment. By order filed April 3, 2013, the  
25 Court advised plaintiff it would not treat his copy of the administrative record and his copy  
26 of the Court's order as a motion for summary judgment, gave plaintiff notice as to the  
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<sup>1</sup>Defendant previously filed the administrative record with the Clerk (see Doc. 13), and served a copy of the administrative record on plaintiff (see Doc. 14).


1 showing he must make in a motion for summary judgment to meet his initial burden to  
2 demonstrate his entitlement to relief, and extended to April 30, 2013 the deadline for  
3 plaintiff to file his motion. To date, plaintiff has not filed a motion for summary judgment or  
4 any other filing.

5 Accordingly, the Court hereby DIRECTS plaintiff to show cause in writing, no later  
6 than May 31, 2013, why the instant action should not be dismissed for failure to prosecute,  
7 pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. To show good cause,  
8 plaintiff must file his motion for summary judgment, along with a separate statement  
9 explaining why such motion was not filed within the time required by the Court's order of  
10 April 3, 2013.

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

13 **IT IS SO ORDERED.**

14  
15 Dated: May 9, 2013

  
MAXINE M. CHESNEY  
United States District Judge