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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VELEDA G. BURTON,
Plaintiff,

v.

CAROLYN W. COLVIN,
Defendant.

Case No. 15-cv-03574-VC

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

Re: Dkt. Nos. 5, 12, 15

The plaintiff's motion for summary judgment or remand was due within thirty days of service of the defendant's answer. Dkt. No. 5 at 1. The defendant's answer was served on November 23, 2015. Dkt. No. 12 at 4; *see also* Fed. R. Civ. P. 5(b)(2)(C). Additionally, the defendant lodged the administrative record in this court on December 3, 2015. Dkt. No. 15. But the plaintiff still has not yet filed a motion for summary judgment, a motion to remand, or a motion to extend the time in which to file either of those two motions.

Accordingly, Velea Burton is ordered to show cause why this case should not be dismissed for failure to prosecute. *See* Fed. R. Civ. P. 41(b); *Carey v. King*, 856 F.2d 1439, 1440 (9th Cir. 1988). Ms. Burton should respond to this order by filing a letter, no longer than two pages, explaining why she has not yet filed a motion for summary judgment (or a motion to remand) in this case. She must file this letter by Friday, January 22, 2015.

IT IS SO ORDERED.

Dated: January 13, 2016



VINCE CHHABRIA
United States District Judge

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Case No. [15-cv-03574-VC](#)

CERTIFICATE OF SERVICE

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 January 13, 2016, 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.

Veleda G. Burton
P. O. Box 3846
Oakland, CA 94609

Dated: January 13, 2016

Susan Y. Soong
Clerk, United States District Court



By: _____
Kristen Melen, Deputy Clerk to the
Honorable VINCE CHHABRIA