

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NICHOLAS BROWN,
Plaintiff,
v.
NANCY A. BERRYHILL¹,
Defendant.

Case No. [15-cv-05827-RS](#)

**ORDER TO SHOW CAUSE WHY
MATTER SHOULD NOT BE
DISMISSED FOR LACK OF
PROSECUTION**

Plaintiff Nicholas Brown filed this action in December of 2015, seeking review of a decision of the Commissioner of Social Security regarding his application for disability benefits. By order entered December 18, 2015, Brown was required to file a motion for summary judgment within 30 days of the filing of an answer and the administrative record. Although the parties subsequently stipulated to an extension of the deadline for filing the answer and the administrative record, those items have now been on file since May of 2016. Brown has failed to file a motion for summary judgment, or take any other action in the case.

Accordingly, no later than April 14, 2017, Brown shall either (1) file his motion for summary judgment, or (2) file a declaration establishing good cause why this matter should not be dismissed for lack of prosecution.

¹ Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Nancy A. Berryhill has automatically been substituted for Acting Commissioner Carolyn W. Colvin as the defendant in this suit.

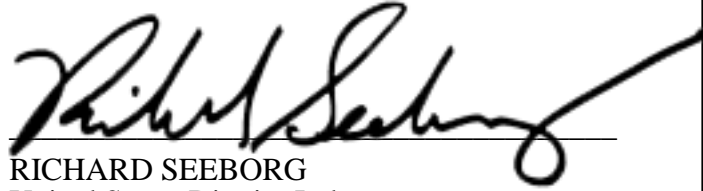
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The Court notes that defendant has filed a consent to the jurisdiction of a magistrate judge. In the event Brown elects to file a motion for summary judgment, at the same time he shall file either a consent or declination to the jurisdiction of a magistrate judge. Brown may obtain the relevant form at <http://cand.uscourts.gov/civilforms> , under the heading, “Magistrate Judge Consent/Declination Form.”

Finally, Brown may wish to contact the court’s pro se help desk either by calling 415-782-8982 or by signing up in the appointment book located on the table outside the door of the Legal Help Center at the United States Courthouse, 450 Golden Gate Avenue, 15th Floor, Room 2796, in San Francisco, California.

IT IS SO ORDERED.

Dated: March 22, 2017



RICHARD SEEBORG
United States District Judge