

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DINA J. STAPLETON,
Plaintiff,
v.
COMMISSIONER OF SOCIAL
SECURITY,
Defendant.

Case No. 16-cv-01929-JST

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

Re: ECF No. 18

Plaintiff’s motion for summary judgment in this Social Security appeal was originally due on December 5, 2016. ECF No. 2 (order making Plaintiff’s motion for summary judgment due 28 days after Defendant’s answer); ECF No. 9 (Defendant’s answer filed). On December 2, 2016, by stipulation of the parties, the Court granted Plaintiff an additional 90 days, to March 4, 2017. ECF No. 13. On February 28, 2017, the Court granted a second extension of time to June 2, 2017, but noted in its order that “the Court does not anticipate granting similar requests for extensions of time in the future.” ECF No. 15. Finally, on June 2, 2017, the Court granted the parties’ stipulated request to extend the Plaintiff’s deadline to file her motion for summary judgment to August 31, 2017. ECF No. 18. The Court noted that no further extensions of time would be granted. Id.

As of today’s date, Plaintiff has not filed a motion for summary judgment or otherwise addressed her obligations to the Court.

Pursuant to Federal Rule of Civil Procedure 41(b), the district court may dismiss an action for failure to comply with any order of the court. Ferdik v. Bonzelet, 963 F.2d 1258, 1260 (9th

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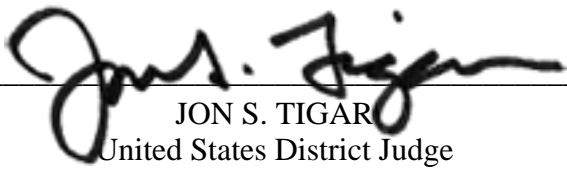
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Cir. 1992), as amended (May 22, 1992). In light of Plaintiff's failure to prosecute her case, the Court has no choice but to dismiss the case without prejudice.

IT IS SO ORDERED.

Dated: September 28, 2017



JON S. TIGAR
United States District Judge