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4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA

6 RONALD DAVID RIVERS,
7 Plaintiff,
8 v.
9 CAROLYN COLVIN,
10 Defendant.
11

Case No. [16-cv-02399-MEJ](#)

ORDER TO SHOW CAUSE

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13 Plaintiff Ronald Rivers filed suit *pro se* to appeal the denial of social security benefits. *See*
14 *Compl.*, Dkt. No. 1. The Court issued a Social Security Procedural Order, which required
15 Defendant to serve and file an answer, together with a certified copy of the transcript of the
16 administrative record (“AR”), within 90 days of receiving the summons and complaint. *See Proc.*
17 *Order* ¶ 1, Dkt. No. 2. Defendant served and filed her Answer on August 29, 2016, and served and
18 filed a certified copy of the AR on September 6, 2016. *See Answer*, Dkt. No. 14; *AR*, Dkt. No.
19 15. The Procedural Order then required Plaintiff to file a motion for summary judgment or for
20 remand within 28 days of service of the Answer; Plaintiff’s deadline for doing so therefore was, at
21 the latest, October 4, 2016. *See Proc. Order* ¶ 2. As of the date of this Order, Plaintiff has not
22 filed a motion for summary judgment or a motion for remand, and has not otherwise formally
23 prosecuted the action.

24 Accordingly, the Court hereby ORDERS Plaintiff Ronald David Rivers to show cause why
25 this case should not be dismissed for failure to prosecute and failure to comply with court
26 deadlines. Plaintiff shall file a declaration by February 7, 2017. Notice is hereby provided that
27 failure to file a written response will be deemed an admission that Plaintiff does not intend to
28 prosecute, and the case will be dismissed without prejudice. Thus, it is imperative that the Court

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receive a written response by the deadline above.

IT IS SO ORDERED.

Dated: January 24, 2017



MARIA-ELENA JAMES
United States Magistrate Judge