

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHRISTOPHER L. SIMMONS,
Plaintiff,
v.
COMMISSIONER OF SOCIAL
SECURITY,
Defendant.

Case No. [16-cv-04435-JCS](#)

**ORDER TO SHOW CAUSE WHY
DEFAULT SHOULD NOT BE
ENTERED**

Defendant was served with summons in this social security review action on September 26, 2016. *See* dkt. 10. Pursuant to Civil Local Rule 16-5 and the procedural order entered in this case (dkt. 4), Defendant's answer and a certified copy of the transcript of the administrative record were due ninety days after service, i.e., December 27, 2016.¹ That deadline has passed and Defendant has not yet filed an answer or the administrative record. Accordingly, Defendant is hereby ORDERED TO SHOW CAUSE why default should not be entered, by filing a response to this order no later than January 18, 2017. The Court finds this matter suitable for resolution without oral argument and declines to set a hearing.

This order will be expunged if Defendant files (1) her answer and a certified copy of the administrative record; or (2) a stipulation by both parties to extend time. If Defendant cannot file her answer and the record or obtain a stipulation by the deadline stated above, she may file a response stating good cause for her failure to meet the initial ninety-day deadline and for a further extension of time.

IT IS SO ORDERED.

Dated: January 11, 2017



JOSEPH C. SPERO
Chief Magistrate Judge

¹ Ninety days from service would be December 25, but the Court was closed that day and the following day, resulting in a deadline of December 27, 2016.