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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DANIEL ANTHONY MCDADE,
Plaintiff,
v.
NANCY A. BERRYHILL,
Defendant.

Case No. [17-cv-00763-JCS](#)

**ORDER TO SHOW CAUSE WHY
ACTION SHOULD NOT BE DISMISSED
FOR FAILURE TO PROSECUTE**

Pursuant to Civil Local Rule 16-5, Plaintiff Daniel Anthony McDade’s motion for summary judgment in this action for review of a social security disability determination was initially due on July 6, 2017. On July 5, 2017, the parties submitted a stipulation to extend the deadline for McDade’s motion to August 17, 2017 due to the death of McDade’s counsel’s wife, *see* *dk.* 10, and the Court so ordered on July 10, 2017, *see* *dk.* 11.

That extended deadline has passed and no motion has been filed. McDade is therefore **ORDERED** to show cause why this action should not be dismissed for failure to prosecute. The parties may respond to this order by filing either a joint stipulated schedule or separate responses no later than October 5, 2017. The Court finds the matter suitable for resolution without oral argument and declines to set a hearing.

IT IS SO ORDERED.

Dated: September 21, 2017



JOSEPH C. SPERO
Chief Magistrate Judge