UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

ERMITA ATKINS,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of Social Security,

Defendant.

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No. C 10-0180 PJH

ORDER REQUIRING REPLY RE MOTION FOR ATTORNEY'S FEES

On June 6, 2012, plaintiff's current attorney, Robert Weems, filed a motion for attorney's fees under 42 U.S.C. § 406(b), to which the Commissioner responded on June 20, 2012. The Commissioner's response accurately raises a number of deficiencies associated with plaintiff's motion and further notes that plaintiff's attorney has failed to provide the required documentation in support of his motion. Plaintiff failed to reply to the Commissioner's response.

The court's review of the motion papers demonstrates that a reply is necessary to the court's adjudication of the motion. Absent such a reply, the court is inclined to deny the motion based on the numerous deficiencies. Plaintiff is thus ORDERED to file a reply **no later than August 8, 2012**, along with any requisite documentation, which must be properly attached to a declaration or request for judicial notice in accordance with the Federal Rules of Evidence. If plaintiff fails to file the reply, the motion will be DENIED with prejudice.

IT IS SO ORDERED.

Dated: July 25, 2012

PHYLLIS J. HAMILTON
United States District Judge