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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RODNEY LEE RAINES,

No. C-10-04268 DMR

Plaintiff,

ORDER TO SHOW CAUSE

v.

MICHAEL J. ASTRUE, COMMISSIONER OF
SOCIAL SECURITY,Defendant.

On July 25, 2011, Plaintiff Rodney Lee Raines filed a Motion for Summary Judgment and/or Remand of the Commissioner's Final Decision. [Docket No. 17.] Pursuant to the Procedural Order for Social Security Review Actions [Docket No. 4], any opposition or counter-motion was due to be filed within 30 days of service of Plaintiff's motion, but no such opposition or counter-motion has been received. Defendant Michael J. Astrue, Commissioner of Social Security, is hereby ordered to respond **by September 19, 2011**, and show cause for his failure to respond to the motion or alternatively to file a statement of nonopposition to the motion as required by Civil Local Rule 7-3(b). Defendant shall also explain why he should be given leave to oppose Plaintiff's motion or to file a counter-motion for summary judgment given his failure to respond to Plaintiff's motion. This order to show cause does not constitute permission to file a late opposition or counter-motion.

IT IS SO ORDERED.

United States District Court
For the Northern District of California

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Dated: September 9, 2011



DONNA M. RYU
United States Magistrate Judge