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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CINDY NELSON,

No. C-13-01872 DMR

Plaintiff,

**ORDER DISCHARGING ORDER TO
SHOW CAUSE**

v.

CAROLYN W. COLVIN,

Defendant.

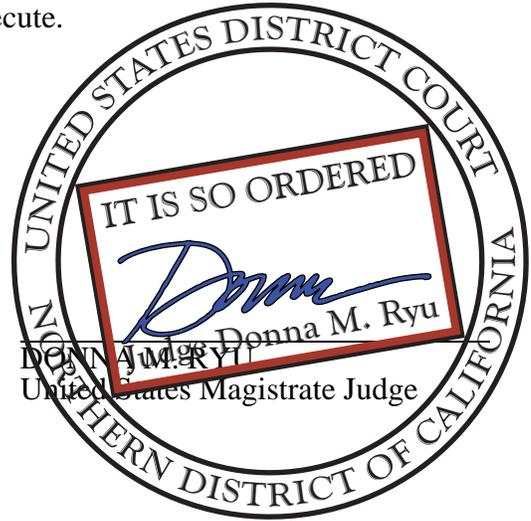
Pro se Plaintiff Cindy Nelson brings this action pursuant to 42 U.S.C. § 405(g) seeking judicial review of a final decision by Defendant Carolyn W. Colvin, the Commissioner of the Social Security Administration. On January 14, 2014, the court issued an Order to Show Cause why this action should not be dismissed for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b) as Plaintiff had failed to timely file a motion for summary judgment. [Docket No. 31.]

On January 23, 2014, Plaintiff submitted a letter in response to the Order to Show Cause to which she attached a large number of her personal medical records. The court has filed the letter under seal (Docket No. 32) and is returning the medical records to Plaintiff, as the court cannot consider any evidence that is not part of the administrative record. The Order to Show Cause is discharged. By no later than **February 24, 2014**, Plaintiff shall file a motion for summary judgment challenging the administrative law judge's ("ALJ") finding that she is not disabled within the meaning of the Social Security Act. In the motion, Plaintiff shall explain why the ALJ's decision is not supported by substantial evidence or is based on legal error. *See Magallanes v. Bowen*, 881 F.2d

1 747, 750 (9th Cir. 1989). Failure to file a motion for summary judgment by February 24, 2014 will
2 result in dismissal of this action for failure to prosecute.

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4 IT IS SO ORDERED.

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6 Dated: January 24, 2014



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