

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

KIM MICHELE PADILLA,  
Plaintiff,  
v.  
NANCY A. BERRYHILL,  
Defendant.

Case No. [4:16-cv-04135-KAW](#)

ORDER TO SHOW CAUSE TO  
PLAINTIFF

Plaintiff Kim Michele Padilla commenced this social security action on July 22, 2016. (Dkt. No. 1.) The answer and administrative record were filed on January 27, 2017. (Dkt. Nos. 13 & 14.) Due to an administrative oversight, on September 18, 2017, the court belatedly issued a scheduling order requiring Plaintiff to file a motion for summary judgment or for remand within 28 days of being served with Defendant’s answer. (Dkt. No. 16.) Since the answer was previously served, Plaintiff’s motion for summary judgment or motion for remand was due by October 16, 2017. Although the applicable deadlines have passed, Plaintiff has not filed a motion for summary judgment or motion for remand, nor has she sought relief from the deadline.

Accordingly, IT IS HEREBY ORDERED that, by no later than **November 3, 2017**:

1. Plaintiff’s counsel shall show cause why this case should not be dismissed for failure to comply with the deadline to file the motion for summary judgment or seek relief from the procedural order deadline, and why sanctions in the amount of \$250 should not be imposed.
2. Plaintiff shall file a motion for summary judgment or motion for remand.

///  
///  
///

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

Failure to file both documents may result in the case being dismissed for failure to prosecute.

IT IS SO ORDERED.

Dated: October 17, 2017

  
KANDIS A. WESTMORE  
United States Magistrate Judge