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E-Filed 3/16/09

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

RONALD A. LOCKE,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of Social
Security,

Defendant.

Case Number C 08-1608 JF (HRL)

ORDER SETTING BRIEFING
SCHEDULE

Plaintiff, proceeding *pro se*, commenced this action on March 25, 2008 by filing a complaint asserting an improper denial of benefits by Defendant. On the same date, Plaintiff filed a number of motions, including an application for leave to proceed *in forma pauperis*. On April 1, 2008, the Court issued an order granting Plaintiff's *in forma pauperis* application and directing Defendant to respond to Plaintiff's motions. Thereafter, Plaintiff filed several additional motions, including motions for entry of default, for default judgment, and for summary judgment. On May 30, 2008, the United States Marshal's Service filed proofs of service with respect to Defendant. On July 17, 2008, Defendant filed a motion to dismiss for lack of jurisdiction.

1 It appears that Defendant's motion to dismiss may be dispositive of this action. Plaintiff
2 did not respond to the motion to dismiss. Given the possibility that the motion may not have
3 reached Plaintiff, the Court hereby directs the Clerk of the Court to serve Plaintiff with a copy of
4 the motion along with a copy of this order. Plaintiff shall file any opposition to Defendant's
5 motion within thirty days of the date of this order. Defendant shall file any reply within twenty-
6 one days after the filing of any opposition. The matter thereafter will be taken under submission
7 without oral argument.

8 IT IS SO ORDERED.

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13 DATED: 3/16/09

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15 JEREMY FOGEL
16 United States District Judge
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1 Copies of Order served on:

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3 Theophous H Reagans , Jr theophous.reagans@ssa.gov

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5 Ronald A. Locke
6 977 S. Bascom Avenue
7 San Jose, CA 95128

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