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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

VICTORIA MARTINEZ,)
)
Plaintiff,)
)
v.)
)
MICHAEL J. ASTRUE, COMMISSIONER)
OF SOCIAL SECURITY,)
)
Defendant.)
_____)

Case No.: C 09-03471 PSG
**ORDER DISSOLVING JANUARY 4,
2011 ORDER TO SHOW CAUSE**
[Docket No. 19]

The court ordered Defendant Michael J. Astrue, Commissioner of Social Security, to respond in writing no later than January 18, 2011 to an order to show cause why default should not be entered. *See* Order to Show Cause dated January 4, 2011. (“January 4, 2011 Order to Show Cause”). (Docket No. 19). Mr. Astrue failed to file a responsive pleading after the court denied his motion to dismiss on November 2, 2010. On January 4, 2011, Mr. Astrue filed a response to the order to show cause. He states that a request was made for the Office of Disability and Review (ODAR) to provide a certified copy of the transcript to file with an answer after the court’s ruling. *See* Civ. L.R. 16-5 (answer must be filed with a certified copy of the transcript of the administrative record); Procedural Order for Social Security Review Actions. However, a certified copy of the transcript was not sent until December. Additionally, Mr. Astrue’s counsel was on leave during much of that month and did not learn that the certified transcript had been sent until the court issued the January 4, 2011 Order to Show Cause.

1 Having reviewed the response,

2 IT IS HEREBY ORDERED that the January 4, 2011 Order to Show Cause is dissolved. Mr.
3 Astrue shall file his answer and a certified copy of the transcript of the administrative record no later
4 than January 12, 2011.

5 Dated: January 5, 2011



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7 PAUL S. GREWAL
United States Magistrate Judge

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