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E-FILED 01-19-2011

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

TERI MCNALLEN,

No. C09-05084 HRL

Plaintiff,

**ORDER TO SHOW CAUSE WHY THIS
ACTION SHOULD NOT BE DISMISSED**

v.

MICHAEL J. ASTRUE,

Defendant.

Nearly one year ago, plaintiff Teri McNallen substituted pro se, in place of her then current attorney, Harvey P. Sackett. This court also approved the parties' stipulation giving McNallen a 30-day extension of time, to April 9, 2010, in which to locate new counsel and to file her motion for summary judgment. To date, however, there has been no appearance of new counsel. Nor has McNallen filed a summary judgment motion. Indeed, in the last ten months or so, there has been no significant activity on this docket.

Accordingly, **no later than February 18, 2011**, McNallen shall file a response to this order and show cause why this action should not be dismissed for failure to prosecute. Failure to respond to this order will be deemed grounds for dismissal.

SO ORDERED.

Dated: January 19, 2011



HOWARD F. LOTT
UNITED STATES MAGISTRATE JUDGE

1 5:09-cv-05084-HRL Notice has been electronically mailed to:

2 Cynthia B. De Nardi cynthia.denardi@ssa.gov

3 Jacob Micah Mikow jacob.mikow@ssa.gov

4 Counsel are responsible for distributing copies of this document to co-counsel who have not
5 registered for e-filing under the court's CM/ECF program.

6 5:09-cv-05084-HRL Notice mailed to:

7 Teri McNallen
8 232 Rankin Street
9 Santa Cruz, CA 95060

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