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

JAMES LOUIS WELLS,

CASE NO. 5:11-cv-05762 EJD

Plaintiff(s),

**ORDER DISMISSING CASE**

v.

MICHAEL J. ASTRUE, Commissioner of  
Social Security,

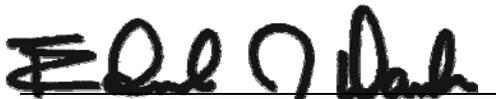
Defendant(s).

On January 10, 2013, the court ordered Plaintiff to show cause in writing by January 31, 2013, why this action should not be dismissed for failure to prosecute after Plaintiff failed to file and serve a Motion for Summary Judgment within pursuant to Civil Local Rule 16-5. See Docket Item No. 15. The court advised Plaintiff that this case would be dismissed if he did not respond or otherwise demonstrate good cause why this case should not be dismissed. Id.

Plaintiff has not complied with the show cause order as directed. Accordingly, this case is DISMISSED WITH PREJUDICE pursuant to Federal Rule of Civil Procedure 41(b). The Clerk shall close this file.

**IT IS SO ORDERED.**

Dated: February 5, 2013

  
EDWARD J. DAVILA  
United States District Judge