

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

)	Case No.: 13-CV-04238-LHK
LUAN PHAM AHN KHUC,)	
Plaintiff,)	ORDER DISMISSING CASE WITH
)	PREJUDICE FOR FAILURE TO
v.)	PROSECUTE
COMMISSION OF SOCIAL SECURITY,)	
Defendant.)	

On September 12, 2013, Plaintiff filed a complaint. ECF No. Defendant filed an answer on February 24, 2014. ECF No. 14. Pursuant to this Court’s social security procedural order, ECF No. 2, Plaintiff was required to file a motion for summary judgment or a motion for remand within twenty eight days after the answer was served. The answer was served on February 24, 2014. ECF No. 16. Plaintiff failed to file his motion within the time frame required.

On April 9, 2014, Plaintiff was thus ordered to show cause by April 16, 2014 why this case should not be dismissed with prejudice for failure to prosecute. ECF No. 17. The Plaintiff was informed that if no response was filed by April 16, 2014, this case would be dismissed with prejudice for failure to prosecute. No response has been filed as of April 17, 2014. Accordingly, this case is dismissed with prejudice for failure to prosecute. The clerk shall close the case file.

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IT IS SO ORDERED.

Dated: April 17, 2014



LUCY H. KOH
United States District Judge