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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

JEROME LEWIS TRAYLOR,
Plaintiff,
v.
NANCY BERRYHILL,
Defendant.

Case No. [18-cv-00445-BLF](#)

**ORDER DISCHARGING ORDER TO
SHOW CAUSE, SETTING DEADLINE
TO RESPOND TO COMPLAINT AND
SUBMIT RECORD ON OR BEFORE
DECEMBER 4, 2018, AND
REASSIGNING TO MAGISTRATE
JUDGE**

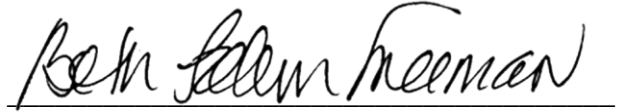
The complaint in this case was filed on January 19, 2018. ECF 1. The Summons to the U.S. Attorney’s Office was returned executed on March 13, 2018. ECF 9. Pursuant to Civ. L.R. 16-5, the government was required to file an answer, together with a certified copy of the administrative record, within 90 days of receipt of service of the summons and complaint. The government’s answer was due on June 11, 2018. On August 14, 2018, this Court ordered the government to file its answer and a certified copy of the administrative record by August 28, 2018. ECF 12. After receiving no response, the Court ordered the government to show cause by September 15, 2018 why the Court should not consider entering default judgment against the government. ECF 13. On September 13, 2018, the government responded to the order to show cause, detailing how the US Marshals Service had not executed proper service until September 5, 2018. ECF 16. Given these representations, the Court is satisfied that the government has shown cause for its failure to respond, and the Order to Show Cause is hereby DISCHARGED. The government is ORDERED to file its response and the administrative record in this case **on or before December 4, 2018.**

Both parties have voluntarily consented to have a magistrate judge conduct all further proceedings in this case. ECF 15, 19. Accordingly, the Court DIRECTS the Clerk to reassign the case to a magistrate judge.

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IT IS SO ORDERED.

Dated: September 17, 2018



BETH LABSON FREEMAN
United States District Judge