

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

EDWARD L. SANTIAGO,

Plaintiff,

v.

Case No: 2:13-cv-107-FtM-DNF

**COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

ORDER

On February 13, 2013, the Plaintiff, Edward L. Santiago filed a Complaint (Doc. 8) in this case. The Plaintiff alleges that he has been denied disability insurance benefits. On June 26, 2013, the Commissioner of Social Security filed an Answer (Doc. 23). On June 27, 2013, the Court entered a Scheduling Order (Doc. 25) requiring the Plaintiff to file his Memorandum of Law in Support of the Complaint by August 26, 2013. The Plaintiff failed to file his Memorandum of Law by this deadline. On September 16, 2013, the Court entered an Order to Show Cause (Doc. 29). The Court required the Plaintiff to show cause why this case should not be dismissed for failure to comply with the Scheduling Order, and required the Plaintiff to file his Memorandum of Law within fourteen days from the date of the Order. The Court cautioned the Plaintiff that if he failed to comply with the Order, the Court would dismiss this action. The Plaintiff failed to show good cause and failed to file his Memorandum of Law.

Pursuant to Local Rule 3.10, “[w]henver it appears that any case is not being diligently prosecuted the Court may, on motion of any party or on its own motion, enter an order to show cause why the case should not be dismissed, and if no satisfactory cause is shown, the case may be dismissed by the Court for want of prosecution.” M.D. Fla. R. 3.10. The Plaintiff failed to

show good cause why this case should not be dismissed and failed to diligently prosecute this case. Therefore, the Court will dismiss this action.

IT IS HEREBY ORDERED:

- 1) This case is dismissed without prejudice for failure to prosecute.
- 2) The Clerk is directed to enter judgment in accordance with this Order, terminate any deadlines and pending motions, and close the case.

DONE and ORDERED in Fort Myers, Florida on October 15, 2013.



DOUGLAS N. FRAZIER
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties