

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

ASHLEY HARRIGAN,

Plaintiff,

v.

Case No. 6:20-cv-1034-Orl-18NPM

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

ORDER

Before the Court is the Commissioner's Unopposed Motion for Stay of Proceedings (Doc. 12). Defendant requests the Court stay the proceedings for ninety days or until such time as the Agency regains capacity to produce a certified transcript of the administrative record necessary to draft an answer and adjudicate the case. (Doc. 12, p. 1). Due to the current situation in this country, Defendant represents the Agency has transitioned to a maximum telework environment, but encountered difficulties that impact the operations of the Social Security Administration's Office of Appellate Operations. (*Id.* at pp. 1-2).

A court has broad discretion whether to stay a proceeding "as an incident to its power to control its own docket." *Clinton v. Jones*, 520 U.S. 681, 706-707 (1997). The court must weigh the benefits of the stay against any harms of delay.

Id. at 707. Here, the Commissioner has provided good cause to extend the deadline to file the certified transcript and answer.

Accordingly, it is **ORDERED** that the Unopposed Motion for Stay of Proceedings (Doc. 12) is **GRANTED**. The Court stays this action and extends the deadline for Defendant to file a certified transcript and answer to **January 19, 2021** or until such time as he is able to produce a certified transcript of the record, whichever comes sooner. The Clerk is direct to add a stay flag to the docket.

DONE and **ORDERED** in Fort Myers, Florida on October 16, 2020.



NICHOLAS P. MIZELL
UNITED STATES MAGISTRATE JUDGE