


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

GERALD CARMICHEAL)
CAMPBELL,)
)
Plaintiff,)
)
v.)
)
NANCY A. BERRYHILL, Acting)
Commissioner of Social Security,)
)
Defendant.)

 FILED
Scott L. Poff, Clerk
United States District Court
By James Burrell at 3:36 pm, Feb 15, 2018

CV417-094

ORDER

Plaintiff has filed yet another letter complaining that this Court has not appointed counsel and he is unable to pursue relief *pro se*. Doc. 17. He has not, however, attempted to comply with the Court’s order that he file his opening brief setting forth his entitlement to relief. Plaintiff will be given one final opportunity to do so. Within 14 days of service of this Order, he must file his written brief setting forth *all errors* which he contends the Social Security Administration made in denying his claim. Using the Administrative Record of his claim for disability benefits, plaintiff must provide a brief to this Court and to defendant including:

(a) A statement of the issues presented for review, set forth in separate numbered paragraphs.

(b) A statement of the case. This statement should indicate briefly the course of the proceedings and its disposition at the administrative level and should set forth a general statement of the facts. This statement of facts shall include plaintiff's age, education, and work experience; a summary of physical and mental impairments alleged; a brief outline of the medical evidence; and a brief summary of other evidence of record. Each statement of fact shall be supported by reference to the page in the record where the evidence may be found.

(c) An argument. The argument shall be divided into sections separately treating each issue and must set forth the contentions of plaintiff with respect to the issues presented and reasons therefor. Each contention must be supported by specific reference to the portion of the record relied upon and by citations to statutes, regulations, and cases supporting plaintiff's position. CM/ECF citations are encouraged. Citations to unreported appellate or district court opinions must be accompanied by a copy of the opinion if the case is unavailable on Westlaw.

(d) A short conclusion stating the relief sought.

The issues before the Court are limited to the issues properly raised in the briefs. Defendant will then respond to plaintiff's brief, and the Court will address his claim on the merits. But plaintiff *must* set forth *in writing* what the administrative law judge got wrong about his impairments (prostate surgery, medication side effects, and gout) and the medical evidence (crediting the consultative examiner's opinion that he was not disabled). Doc. 8.

Within 14 days of the date this Order is served, plaintiff shall file his opening brief or face a recommendation of dismissal of this action. See Fed. R. Civ. P. 41(b); S.D. Ga. L.R. 41.1(c); *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962) (courts have the inherent authority to dismiss claims for lack of prosecution); *Mingo v. Sugar Cane Growers Co-op*, 864 F.2d 101, 102 (11th Cir. 1989); *Jones v. Graham*, 709 F.2d 1457, 1458 (11th Cir. 1983); *Floyd v. United States*, CV491-277 (S.D. Ga. June 10, 1992). He will not receive any further chances.

SO ORDERED, this 15th day of February, 2018.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA