

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

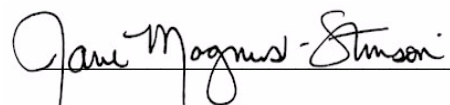
MARY SCOTT,	)	
Plaintiff,	)	
	)	
vs.	)	1:13-cv-1478-JMS-MJD
	)	
CAROLYN COLVIN, Commissioner of the So-	)	
cial Security Administration,	)	
Defendant.	)	

**ORDER**

On January 26, 2014, the Court ordered Plaintiff to file a brief in support of the complaint by March 24, 2014. [[Filing No. 17.](#)] Plaintiff failed to do so, and on April 9, 2014, the Court ordered Plaintiff to show cause in writing by April 24, 2014, why this case should not be dismissed pursuant to Federal Rule of Civil Procedure 41(b) due to Plaintiff's failure to comply with the Court's order. [[Filing No. 18.](#)] The Court expressly noted that "[a] failure to respond will be deemed consent to a dismissal without prejudice." [[Filing No. 18.](#)] Plaintiff has not responded to the Court's show cause order.

A party "cannot decide for itself when it feels like pressing its action and when it feels like taking a break." [GCIU Employer Retirement Fund v. Chicago Tribune Co., 8 F.3d 1195, 1198-1199 \(7th Cir. 1993\)](#). Because Plaintiff has failed to prosecute this action, the Court **DISMISS** it **WITHOUT PREJUDICE** pursuant to Federal Rule of Civil Procedure 41(b). Any pending deadlines are **VACATED** and all pending motions are **DENIED AS MOOT**. Final judgment shall issue accordingly.

04/29/2014



Hon. Jane Magnus-Stinson, Judge  
United States District Court  
Southern District of Indiana

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