

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

CATINA L. MELTON,)	
)	
Plaintiff,)	
)	
v.)	No. 1:17-cv-01471-TWP-MJD
)	
NANCY A. BERRYHILL Acting Commissioner)	
of the Social Security Administration,)	
)	
Defendant.)	

ORDER

Plaintiff *pro se*, filed her Complaint for Review for of Final Social Security Decision on May 5, 2017. Thereafter, on July 19, 2017, Defendants filed a Motion to Dismiss (Dkt. 11). Defendants assert that dismissal is warranted because Plaintiff's Complaint was not timely filed and it is barred by the 60-day limitation specified in 42 U.S.C. § 405(g). To date, Plaintiff has failed to respond to the Motion. Plaintiff shall have through **September 1, 2017** to respond to Defendant's Motion to Dismiss (Dkt. 11).

In conjunction with the foregoing, the plaintiff should be aware that a failure to timely respond to defendant's arguments alone warrants dismissal of the lawsuit. *See Thomas v. Urban P'ship Bank*, 2013 WL 1788522, at *13 (N.D.Ill. Apr. 26, 2013) (collecting cases). "When presented with a motion to dismiss, the non-moving party must proffer some legal basis to support his cause of action." *County of McHenry v. Ins. Co. of the West*, 438 F.3d 813, 818 (7th Cir. 2006). For that reason, if a plaintiff does not respond, and the court is "given plausible reasons for dismissing a complaint, [it is] not going to do the plaintiff's research and try to discover whether there might be something to say against the defendants' reasoning." *Kirksey v. R.J. Reynolds Tobacco Co.*, 168 F.3d 1039, 1042 (7th Cir. 1999).

Date: 8/16/2017



TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

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