

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

NATHAN WEBSTER HECKFORD * **CIVIL ACTION NO. 10-1451**

VERSUS * **JUDGE ROBERT G. JAMES**

MICHAEL J. ASTRUE, * **MAG. JUDGE KAREN L. HAYES**
COMMISSIONER, SOCIAL
SECURITY ADMINISTRATION

NOTICE OF INTENT TO DISMISS

Plaintiff has failed to comply with the order of this court to file a brief within 60 days after the administrative transcript was filed, despite having received two extensions of time to effect same. *See* Nov. 9, 2011, Scheduling Order; March 15, 2011, Order; and May 23, 2011, Order.¹ Pursuant to the Federal Rules of Civil Procedure, Rule 41(b), this failure is grounds for dismissal of this action. Such dismissals may be done *sua sponte* in accordance with the court's inherent power to control its own docket. *See Link v. Wabash Railroad Company*, 82 S.Ct. 1386 (1962); *Rogers v. Kroger, Co.*, 669 F.2d 317, 320-21 (5th Cir. 1982); *Natural Gas Pipeline Co. v. Energy Gathering, Inc.*, 2 F.3d 1397, 1407 (5th Cir. 1993).

Accordingly, the court advises plaintiff that if by **Friday July 29, 2011**, he still has not filed his brief, then the court intends to dismiss this matter with prejudice under Rule 41(b). Plaintiff's counsel shall provide his client with a copy of this notice forthwith, so plaintiff is personally aware that he shares responsibility for the potential dismissal of his case for failure to comply with court order(s).

¹ Following the latest extension of time, plaintiff's brief was due by May 31, 2011.

IT IS SO ORDERED.

THUS DONE AND SIGNED in chambers, at Monroe, Louisiana, this 18th day of July
2011.

A handwritten signature in black ink, appearing to read "Karen L. Hayes", is written over a horizontal line.

KAREN L. HAYES
U. S. MAGISTRATE JUDGE