

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION**

**MELANIE KIRK**

**PLAINTIFF**

**V.**

**NO. 2:11cv213-GHD-JMV**

**MICHAEL J. ASTRUE**

**DEFENDANT**

**ORDER**

By Order (# 18) dated March 26, 2012, the claimant was directed to show cause why this case should not be dismissed for her failure to timely file a brief in support of the complaint. In her Response (# 19), the claimant essentially states that she has been experiencing certain health problems and that she has been seeking an attorney to represent her. Additionally, the claimant requests a “continuance” for filing her brief. While the claimant has failed to clearly articulate why her health problems and her lack of counsel have prevented her, at the very least, from timely seeking an extension of time to file her brief, she has, nonetheless, sufficiently demonstrated that she would like to proceed with this lawsuit. Accordingly,

**IT IS ORDERED:**

That the claimant is granted 30 additional days from this date to file a brief setting forth all errors committed by the Commissioner of Social Security the claimant contends entitle her to relief. The claimant is advised that the brief should comply with the requirements set out in the court’s January 26, 2012, Order (# 12). The claimant is hereby warned that failure to timely comply with this order may lead to dismissal of this lawsuit for failure to prosecute and failure to obey an order of the court.

This 11<sup>th</sup> day of April, 2012.

/s/ Jane M. Virden  
UNITED STATES MAGISTRATE JUDGE