

No. 4:15 CV 1896 JMB

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Plaintiff's Complaint was filed on December 21, 2015. (ECF No. 1). On December 21, 2015, the Court entered a Case Management Order setting out the briefing schedule to be followed in this cause in accordance with Rule 9.02 of the Local Rules of this Court.¹ (ECF No. 3). Defendant Acting Commissioner of Social Security timely filed her Answer to Plaintiff's Complaint on August 19, 2016. (ECF No. 13). As such, pursuant to Local Rule 9.02, Plaintiff's brief in support of his Complaint was to be filed not later than September 30, 2016. A review of the Court file shows that, to date, Plaintiff has not filed a brief in support of his Complaint, or in any other way complied with the Local Rules or previous Order of this Court.

Therefore, for all of the foregoing reasons,

IT IS HEREBY ORDERED that no later than November 7, 2016, Plaintiff shall file with the Court a separate Brief in Support of his Complaint setting forth the specific bases upon which he claims the Commissioner to have erred in the determination to deny Plaintiff benefits.

Failure to timely respond to this Order shall result in the dismissal of the cause for failure to prosecute and failure to comply with Orders of the Court.

/s/ John M. Bodenhausen
UNITED STATES MAGISTRATE JUDGE

Dated this 5th day of October, 2016.

¹Local Rule 9.02 provides:

[T]he Commissioner shall file any motion to dismiss, motion to remand, and/or answer within sixty (60) days of service of the complaint. ... The plaintiff shall, unless otherwise ordered by the court, serve and file a brief in support of the complaint within thirty (30) days after the Commissioner's service of an answer and the administrative transcript. The Commissioner shall serve and file a brief in support of the answer within thirty (30) days after service of the plaintiff's brief. Plaintiff shall have ten (10) days after service of the Commissioner's brief to file a reply brief.