

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

KERI SARGENT,

Plaintiff,

v.

NANCY A. BERRYHILL, Acting  
Commissioner of Social Security,

Defendant.

Case No. 2:16-cv-02149-RFB-PAL

**ORDER**

(Mot. to File Under Seal and  
for Relief from Order – ECF No. 21)

This matter is before the court on Plaintiff Keri Sargent's Motion to File Record Under Seal and for Relief from Order (ECF No. 21). This Motion is referred to the undersigned pursuant to 28 U.S.C. § 636(b)(1)(A) and LR IB 1-3 of the Local Rules of Practice.

On March 15, 2017, the court issued a Scheduling Order (ECF No. 18) setting briefing deadlines for this case. The Scheduling Order required Plaintiff to file a motion for reversal and/or remand no later than April 14, 2017, and advised Plaintiff that a failure to file a motion or points and authorities as required by the Scheduling Order may result in dismissal of the action. *Id.* at 5, ¶ 12. Plaintiff failed to comply with the Scheduling Order, request an extension of time, or take any other action to prosecute this case. The court therefore issued an Order to Show Cause (ECF No. 20) on May 4, 2017, ordering Plaintiff to show cause, in writing, no later than May 12, 2017, why this matter should not be dismissed for her failure to file a motion for reversal and/or remand in compliance with the Scheduling Order.

On May 18, 2017, Plaintiff's counsel filed the motion informing the court of his recent temporary but serious medical issues and requesting an extension of the briefing deadlines set forth in the Scheduling Order. Having reviewed and considered the matter, the court is satisfied counsel

///


1 has shown cause for his prior failure to comply with the court's scheduling order and finds good  
2 cause to seal the moving papers and grant an extension of the briefing schedule.

3 Accordingly,

4 **IT IS ORDERED:**

- 5 1. Plaintiff Keri Sargent's Motion to File Record Under Seal and for Relief from Order  
6 (ECF No. 21) is GRANTED, and shall remain under seal.
- 7 2. The following briefings deadlines shall apply:
- 8 a. Plaintiff shall file a motion for reversal and/or remand no later than **July 12, 2017**.
- 9 b. Defendant shall have until **August 11, 2017**, to file either a notice of voluntary  
10 remand of the case or points and authorities in opposition to Plaintiff's motion.
- 11 a. Plaintiff may file a reply in support of the motion no later than **August 25, 2017**.
- 12 3. All other instructions and briefing requirements stated in the Scheduling Order (ECF  
13 No. 18) remain in effect.

14 Dated this 22nd day of May, 2017.

15  
16   
17 PEGGY A. LEEN  
18 UNITED STATES MAGISTRATE JUDGE  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28