

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ELIZABETH AGUILAR,

Plaintiff,

v.

CIV 17-0003 KBM

NANCY A. BERRYHILL,
Acting Commissioner of Social Security,

Defendant.

ORDER TO SHOW CAUSE

THIS MATTER is before the Court *sua sponte*. This Court entered its Order Setting Briefing Schedule on March 24, 2017. *Doc. 14*. Pursuant to that Order, Plaintiff was to file her Motion to Reverse or Remand on or before May 23, 2017. *Id.* The Order further provided “[a]ll requests for extensions of time altering the deadlines set in this Order shall be made through a motion to the Court.” *Id.* However, to date, Plaintiff has neither filed a Motion, nor moved this Court for an extension of time in which to do so.

The Court has the inherent power to impose a variety of sanctions on litigants in order to, among other things, regulate its docket and promote judicial efficiency.” *Id.* (citing *Martinez v. Internal Revenue Service*, 744 F.2d 71, 73 (10th Cir. 1984)). One such sanction within the Court’s discretion is to dismiss an action for want of prosecution. *Id.* (citing *Nat’l Hockey League v. Metro. Hockey Club, Inc.*, 427 U.S. 639, 642-43 (1976); *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629-30 (1962)). In addition to this Court’s inherent powers, the Federal Rules of Civil Procedure contemplate involuntary dismissal in the event of a plaintiff’s failure to prosecute. See Fed. R. Civ. P. 41(b); Fed. R. Civ. P. 1

(requiring the Court and the parties to employ the rules to “secure the just, *speedy*, and inexpensive determination of every action and proceeding”) (emphasis added)).

IT IS THEREFORE ORDERED that Plaintiff must either file her Motion to Remand, or show cause in a written document to be filed with the Court no later than **Monday, August 14, 2017**, why this case should not be dismissed. Plaintiff is hereby notified that failure to respond to this Order may result in dismissal of this action without further notice.


UNITED STATES CHIEF MAGISTRATE JUDGE