

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

DANIEL V. GALLEGOS,

Plaintiff,

v.

No. 1:20-CV-634 WJ/KRS

KILOLO KIJAKAZI,<sup>1</sup> Acting Commissioner  
of the Social Security Administration,

Defendant.

ORDER TO FILE ADMINISTRATIVE RECORD AND RESETTING DEADLINES

This matter is before the Court upon review of the record. Plaintiff filed a Complaint on July 1, 2020, appealing the final decision of the Social Security Administration which denied his claim for benefits. (Doc. 1). On December 9, 2020, Defendant filed an Answer to the Complaint, stating it was filing separately “a certified copy of the transcript of the record including the evidence upon which the findings and decisions complained of are based.” (Doc. 15). On March 4, 2021, the Court set a briefing schedule and ordered Plaintiff to file a Motion to Reverse or Remand Administrative Agency Decision no later than May 14, 2021. (Doc. 20). Thereafter, this case was reassigned and referred to the undersigned to recommend an ultimate disposition of the case. (Docs. 18 and 19). No transcript of the administrative record has been filed on the docket, and Plaintiff has neither filed a Motion to Remand nor requested an extension of time to do so. Accordingly, the Court will set a deadline for Defendant to file the certified administrative record and will reset the parties’ briefing deadlines.

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<sup>1</sup> Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted for Andrew Saul as the defendant in this suit.

IT IS THEREFORE ORDERED that:

1. Defendant shall file the certified administrative record for this case **on or before July 22, 2021**;
2. Plaintiff shall file a Motion to Reverse or Remand Administrative Agency Decision with a supporting memorandum of law **on or before September 17, 2021**;
3. Defendant shall file a Response **on or before November 19, 2021**; and
4. Plaintiff may file a Reply **on or before December 3, 2021**.

IT IS FURTHER ORDERED that all motions, responses, replies, and supporting memoranda shall specifically cite to the administrative record for assertions of fact (*e.g.*, AR 15) and that legal propositions shall be supported by appropriate authority.

IT IS FURTHER ORDERED that all requests for extensions of time altering the deadlines set in this Order shall be made through a motion to the Court. If the parties concur in seeking an extension of time, they shall submit a stipulated proposed order for Court approval



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KEVIN R. SWEAZEA  
UNITED STATES MAGISTRATE JUDGE