

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

MOHAMED BASEL ASWAD, M.D.,

Plaintiff,

v.

No. 16-cv-1367 BRB/SMV

THOMAS E. PRICE, M.D.,¹

Defendant.

ORDER TO SHOW CAUSE

THIS MATTER is before the Court sua sponte. Plaintiff filed this action on December 15, 2016, appealing the final decision of the Secretary of the United States Department of Health and Human Services, which “exclud[es] him from participating in Medicare, Medicaid, and all federal health care programs for a period of 13 years” based on his misdemeanor conviction for furnishing misbranded drugs to patients. [Doc. 1] at 2. The Court set a briefing schedule, and Plaintiff’s Motion to Reverse or Remand Administrative Agency Decision (“Motion”) was due by June 27, 2017. [Doc. 17]. To date, Plaintiff has filed no Motion and has not requested an extension of time to do so.

IT IS THEREFORE ORDERED that Plaintiff show cause within 21 days why his case should not be dismissed without prejudice for failure to prosecute his claims.

IT IS SO ORDERED.



**STEPHAN M. VIDMAR
United States Magistrate Judge**

¹ Thomas E. Price, M.D., is now the Secretary of the United States Department of Health and Human Services. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Dr. Price should be substituted for former Secretary Sylvia M. Burwell as the defendant in this suit.