

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

RONALD E. BAILEY,

Plaintiff,

-vs-

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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Case No. 3:09-cv-120

:

District Judge Walter Herbert Rice  
Magistrate Judge Michael R. Merz

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**ORDER STRIKING REPLY MEMORANDUM**

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This case is before the Court *sua sponte* upon examination of the docket. On November 26, 2009, Plaintiff requested and received an extension of time to and including November 23, 2009, to file his reply memorandum in support of his Statement of Specific Errors (Notation Order granting Doc. No. 10). However, the reply memorandum was not filed until November 24, 2009. Plaintiff neither sought an additional extension nor made any showing of purported excusable neglect for the late filing or of consultation with opposing counsel under S. D. Ohio Civ. R. 7.3.

Accordingly, the Reply Memorandum is stricken.

November 24, 2009.

s/ **Michael R. Merz**  
United States Magistrate Judge