

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Lisa Diane Ross,

Plaintiff,

v.

Michael J. Astrue,  
Commissioner of Social Security,

Defendant.

C/A No. 0:16-3632-PJG

**ORDER**

This social security action is before this court pursuant to 42 U.S.C § 405(g) for review of a final decision of the Commissioner of the Social Security Administration (“Commissioner”). The plaintiff, Lisa Diane Ross, who is self-represented, initiated this action and filed her Complaint on November 15, 2016.<sup>1</sup> (ECF No. 1.) The Commissioner filed an Answer along with a transcript of record on July 6, 2017. (ECF Nos. 35 & 36.)

The Local Rules of this District state that, after the filing of an answer, a plaintiff has thirty (30) days in which to file a written brief. Local Civil Rule 83.VII.04 (D.S.C.). The plaintiff’s brief was due on or before August 7, 2017. The plaintiff filed a motion for an extension of time to file her brief, which the court granted by docket text order on August 8, 2017, extending plaintiff’s time in which to filed her brief until September 6, 2017. (ECF Nos. 37 & 38.) The plaintiff was specifically warned that failure to file a brief may result in the dismissal of her case for failure to prosecute. See Davis v. Williams, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b). Despite this warning, as of the date of this Order, the plaintiff has not filed a brief and has presented no

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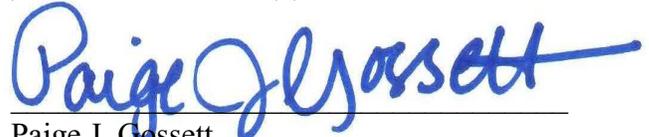
<sup>1</sup> Ross subsequently filed two amendments to her initial Complaint. (ECF Nos. 14 & 26.)

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argument as to why the decision by the Commissioner is not supported by substantial evidence or is controlled by legal error. It therefore appears that the plaintiff does not wish to continue to prosecute this action. Accordingly,

**IT IS ORDERED** that the plaintiff shall have **fourteen (14) days** from the date of this order in which to file a brief. **Failure to do so will result in dismissal of the Complaint for failure to prosecute.** See Davis, 588 F.2d at 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

**IT IS SO ORDERED.**



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Paige J. Gossett  
UNITED STATES MAGISTRATE JUDGE

September 18, 2017  
Columbia, South Carolina