

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

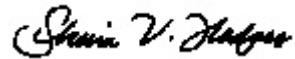
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|--|---|----------------------------|
| Unice Hammond Williams, |) | C/A No.: 1:11-1506-TLW-SVH |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | ORDER |
| |) | |
| Michael J. Astrue, Commissioner of the |) | |
| Social Security Administration, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

Plaintiff brought this matter appealing a decision of the Commissioner of Social Security on June 20, 2011. Defendant filed an answer and the administrative record of the underlying social security proceedings on October 20, 2011. Pursuant to Local Civil Rule 83VII.04 (D.S.C.), Plaintiff's brief was due on November 28, 2011. Plaintiff failed to file a brief by November 28, 2011. The court inquired of Plaintiff's counsel whether a brief would be forthcoming and indicated that the matter would be recommended for dismissal with prejudice if neither a brief nor a motion for an extension was filed. Plaintiff's counsel then filed a request for an extension of time to file a brief until December 16, 2011, which was granted. [Entry #17, #18].

Notwithstanding the courts prior warning, Plaintiff has not yet filed a brief in this matter. As such, it appears to the court that Plaintiff wishes to abandon this action. Based on the foregoing, Plaintiff and her counsel are directed to advise the court whether she wishes to continue with this case and to file a brief by January 31, 2012. Plaintiff and her counsel are further advised that if she fails to respond, this action will be recommended

for dismissal with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b). No further extensions will be granted absent exceptional circumstances. Plaintiff's counsel's workload does not constitute exceptional circumstances.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Shiva V. Hodges". The signature is written in a cursive, flowing style.

January 9, 2012
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge