

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION**

RITA WARFIELD)	
Plaintiff,)	
)	
v.)	Case No. 1:17-cv-102
)	Chief Judge Crenshaw/ Frensley
NANCY A. BERRYHILL, Acting)	
Commissioner of the Social Security)	
Administration,)	
Defendant.)	

REPORT AND RECOMMENDATION

Pending before the Court is the Defendant’s Motion to Show Cause Why This Complaint Should Not Be Dismissed Pursuant To Rule 41(b) of the Federal Rules of Civil Procedure. Docket No. 15. For the reasons stated herein, the undersigned recommends that the Defendant’s Motion be GRANTED and that the Plaintiff’s complaint should be dismissed.

Plaintiff filed this Social Security Complaint pro se on November 20, 2017. Docket No. 1. Plaintiff’s application to proceed *in forma pauperis* was Granted and the matter was referred to the undersigned to enter a scheduling order for management of the case. Docket No. 4. On March 29, 2018, the undersigned entered an Order directing Plaintiff to file a Motion for Judgment based on the Administrative Record and accompanying memorandum in support of the motion within 28 days of the entry of the Order. Docket No. 14. Plaintiff failed to file her Motion and Memorandum per the terms of this Court’s Order.

On May 25, 2018, the Defendant filed the instant motion for show cause based upon Plaintiff’s failure to comply with this Court’s Order dated March 29, 2018. Docket No. 15. Plaintiff has not responded to Defendant’s Motion.

Based on Plaintiff's failure to comply with the Order in this case directing her to file her Motion for Judgment on the Record as well as the failure to respond to the instant motion, the undersigned recommends that Defendant's Motion (Docket No. 15) be GRANTED and that the Plaintiff's Complaint be dismissed.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days after service of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any response to said objections. Failure to file specific objections within fourteen (14) days of service of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L. Ed. 2d 435 (1985), *reh'g denied*, 474 U.S. 1111 (1986); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.



JEFFERY S. FRENSLEY
U. S. Magistrate Judge