

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JIMMIE BURTS,

Plaintiff,

v.

NANCY A BERRYHILL, Deputy  
Commissioner of Social Security for Operations,

Defendant.

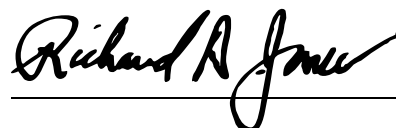
Case No. C18-5010 RAJ

**ORDER OF DISMISSAL**

This matter comes before the Court on Defendant's Motion to Dismiss pursuant to Rule 41(b), filed July 11, 2018, and noted for August 3, 2018. Dkt. 17. The Scheduling Order required Plaintiff to file his opening brief by July 5, 2018. Dkt. 16. Plaintiff has not filed an opening brief, has not filed any response to Defendant's Motion to Dismiss, and has not requested any extension of time. Therefore, the Court **GRANTS** Defendant's motion.

It is hereby **ORDERED** that this matter is **DISMISSED** for failure to prosecute. This dismissal is without prejudice for Plaintiff to re-file the matter within the proper statutory limitations.

DATED this 7th day of August, 2018.



The Honorable Richard A. Jones  
United States District Judge