

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

BRENDA MARIE HUGHES,

Plaintiff,

vs.

Case No. 13-1365-SAC

CAROLYN W. COLVIN,  
Acting Commissioner of  
Social Security,

Defendant.

MEMORANDUM AND ORDER

The answer and record were filed in this case on December 30, 2013 (Doc. 7-8). According to D. Kan. Rule 83.7.1(d), plaintiff must file their response within 45 days of the filing of the record. Therefore, plaintiff's brief was due no later than February 13, 2014. On February 24, 2014, the court issued a show cause order after plaintiff failed to file a brief (Doc. 9). This order was mailed to plaintiff, and a certified mail receipt indicates that the order was received at plaintiff's address and signed by plaintiff on February 28, 2014 (Doc. 10). The order directed plaintiff to show cause on or before March 3, 2014, why this case should not be dismissed for lack of prosecution.

D. Kan. Rule 41.1 states as follows:

At any time, the court may issue an order to  
show cause why a case should not be

dismissed for lack of prosecution. If good cause is not shown within the time prescribed by the show cause order, the court may enter an order of dismissal. The dismissal will be with prejudice unless the court otherwise specifies.

Plaintiff has not responded to the show cause order; plaintiff has not filed a brief or requested an extension of time to file her brief.

IT IS THEREFORE ORDERED that this case is dismissed for lack of prosecution.

IT IS FURTHER ORDERED that a copy of this order shall be mailed to plaintiff by regular mail and by certified mail, return receipt requested.

Dated this 18th day of March 2014, Topeka, Kansas.

s/Sam A. Crow

Sam A. Crow, U.S. District Senior Judge