

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

KAREN HUDSON CARTER,)
K. G.T. C.,)
)
Plaintiffs,)
) No. 1:16-cv-00029-SEB-MPB
vs.)
)
CAROLYN W. COLVIN Commissioner of)
Social Security Administration,)
)
Defendant.)
)
)
)

REPORT AND RECOMMENDATION
HON. MAGISTRATE JUDGE MATTHEW BROOKMAN

On January 5, 2016, Plaintiff Karen Hudson Carter (“Carter”) filed a *pro se* Complaint requesting judicial review of the final decision of the Commissioner of the Social Security Administration denying her application for Supplemental Security Income and/or Disability Benefits under Title XVI and/or Title II of the Social Security Act, respectively. [[Docket No. 1](#)].

On March 25, 2016, the Commissioner’s Answer and the Transcript of the Administrative Record of the Social Security Administration were filed. [[Docket Nos. 13](#) and [14](#)].

On March 28, 2016, the Court issued its Entry of Briefing Schedule, which required Carter to file her brief in support of the Complaint within thirty (30) days of the date of the order, or on or before April 27, 2016. [[Docket No. 15](#)]. The Court’s order also contained a detailed description of the information Plaintiff’s brief was required to contain. [*Id.*]

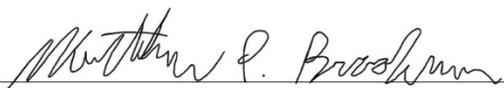
Carter failed to timely file any brief in support of the Complaint. Thereafter, on July 11, 2016, the Court ordered Carter to show cause on or before August 8, 2016, why this case should

not be dismissed pursuant to Federal Rule of Civil Procedure 41(b) due to Plaintiff's failure to comply with the Court's Order or, in the alternative, the Court's order allowed Plaintiff to submit her brief in support of the Complaint on or before August 8, 2016. [[Docket No. 17](#)]. The Court's order noted that "[a] failure to respond will be deemed consent to a dismissal without prejudice." [*Id.*]

To date, Plaintiff has neither responded to the order to show cause nor filed any brief in support of the Complaint. Accordingly, the Magistrate Judge recommends the Plaintiff's Complaint be **DISMISSED** without prejudice, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, for Plaintiffs failure to prosecute this matter and to comply with multiple orders of the Court.

Any objections to the Magistrate Judge's Report and Recommendation shall be filed with the Clerk in accordance with 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), and failure to timely file objections within fourteen days after service shall constitute a waiver of subsequent review absent a showing of good cause for such failure.

Dated: August 9, 2016


Matthew P. Brookman
United States Magistrate Judge
Southern District of Indiana

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