

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

R.C. v. Commissioner of Social Security

R.C. · No. 4:24-cv-07367-HSG · Decided May 12, 2025

SUMMARY

This document is a motion to extend the deadline for a plaintiff's reply brief in a Social Security appeal. Plaintiff requests a 15-day extension under Federal Rule of Civil Procedure 6(b)(1)(A), citing newly received medical evidence and counsel's recent diagnosis of metastatic cancer. The court approved the requested extension on May 12, 2025.

OPINION

Cutchlow v. O'Malley

PER CURIAM.

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9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 12 R.C.,)) Civil No. 4:24-cv-07367-HSG 13 Plaintiff,))

14 v.) MOTION TO EXTEND TIME TO FILE

) PLAINTIFF'S REPLY BRIEF; ORDER

15 Commissioner of Social Security,)) 16 Defendant.)) 17)) 18 19 Pursuant to FRCP Rule 6(b)
(1)(A), Plaintiff hereby moves the Court to extend, until 20 May 24, 2025, the date to file
Plaintiff's Reply Brief in Support of Reversal of the Decision of 21 the Commissioner. Plaintiff's
Reply is due on or before May 9, 2025, however, undersigned 22 counsel needs more time to
review the evidence and draft her Reply. 23 24 Specifically, good cause exists to extend time
because Plaintiff was diagnosed with 25 metastatic cancer less than two weeks ago, and this week,
Plaintiff's counsel received over 900 26 pages of new medical evidence of diagnoses including
squamous cell carcinoma and bone 27 metastasis. Plaintiff's counsel's cursory review of the new
evidence suggests to her that it may 28 be material, directly relating to evidence at issue in this
case, including Plaintiff's hearing ! || testimony. Additional time is needed for Plaintiffs counsel to
review the new evidence prior to 2 drafting the Reply, to assess whether good cause exists to file a
motion requesting incorporation 3 1 of the new evidence into the record, per 42 U.S.C. § 405(g);
Mayes v. Massanari, 276 F.3d 453, 5 || 463 (9th Cir. 2001) (quoting Key v. Heckler, 754 F.2d

1545, 1551 (9th Cir. 1985) (“If new information surfaces after the Secretary’s final decision and the claimant could not have obtained that evidence at the time of the administrative proceeding, the good cause requirement is satisfied.”). 9 0 Undersigned counsel has conferred with counsel for Defendant and counsel for Defendant has indicated no objection to a 15-day extension of time for Plaintiff to file her Reply. 13 14) Respectfully submitted May 9, 2025. 15 16 . By: /s/ Caroline J. Alegre

17 CAROLINE J. ALEGRE

8 Homeless Action Center Attorney for Plaintiff 19 20

ORDER

21 22 APPROVED AND SO ORDERED: 23

24 25 Dated: 5/12/2025 fF . 26 HON. HAYWOOD S. GILLIAM, JR. 57 United States District Court Judge 28 flaca NIRA ASDA ay W7247 DOCG