

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRUCE E. PRICHETT,

Plaintiff,

v.

MICHAEL J. ASTRUE,¹

Commissioner of Social Security,

Defendant.

CIVIL ACTION

No. 05-3066

MEMORANDUM/ORDER

August 7, 2007,

On June 27, 2007, I granted plaintiff's Uncontested Motion for Extension of Time, extending the deadline for filing plaintiff's brief and statement of issues to June 29, 2007.

On July 2, 2007, plaintiff filed a Second Uncontested Motion for Extension of Time, requesting that the filing deadline be extended to July 12, 2007. *See* Docket No. 15. On July 15, 2007, plaintiff filed his brief and statement of issues. *See* Docket No. 16. The court has been informed by government counsel that the Commissioner does not object to consideration of plaintiff's July 15, 2007 filing as timely. In addition, the Commissioner

¹ Upon succeeding Jo Anne B. Barnhart as Commissioner of Social Security on February 12, 2007, Michael J. Astrue was automatically substituted for Barnhart as the defendant in this suit. *See* Fed. R. Civ. P. 25(d)(1); 42 U.S.C. § 405(g).

has filed a motion for an enlargement of time to file his response to plaintiff's brief and statement of issues. *See* Docket No. 17. Plaintiff does not oppose the Commissioner's motion. *See id.* ¶ 2.

Accordingly, it is hereby **ORDERED** that:

1. Plaintiff's Second Uncontested Motion for Extension of Time (Docket No. 15) is **GRANTED** *nunc pro tunc*, and plaintiff's Brief and Statement of Issues in Support of Plaintiff's Request for Review (Docket No. 16), filed July 15, 2007, shall be considered timely.
2. The Commissioner's Motion for an Enlargement of Time to File His Response to Request for Review of Plaintiff (Docket No. 17) is **GRANTED**, and the deadline for submission of the Commissioner's response to plaintiff's brief and statement of issues is extended to September 17, 2007.

BY THE COURT:

/s/ Louis H. Pollak

Pollak, J.