

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

∴  
∴ **Standing Order No. 13-9**  
∴

**STANDING PRACTICE ORDER  
IN SOCIAL SECURITY APPEALS**

This order is intended to inform the parties of the briefing and other litigation responsibilities that commonly arise during the course of a social security appeal. In doing so, this order will describe the major provisions of Local Rules relating to social security appeals. The parties should consult the actual rules for a complete description of their requirements. Social Security cases filed in this district are treated as appeals. (Local Rule (LR) 83.40.1) This standing order shall be issued by the Clerk's Office upon the filing of a social security appeal accompanied by an application to proceed in forma pauperis or the filing fee and shall be binding on all parties. Failure of a party to comply will result in the sanctions specified herein.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1) In cases where the filing fee has been paid, the plaintiff shall cause the summons and complaint to be served upon the defendant in the manner specified by Rule 4(i) of the Federal Rules of Civil Procedure within fourteen (14) days of the date of filing of the complaint with the Clerk of Court. (LR 83.40.2)

(2) In cases where an application to proceed in forma pauperis has been filed by the plaintiff, upon the approval of the application by the judge assigned the case, the Clerk of Court is directed to issue process to the United States Marshal who is directed to serve plaintiff's complaint in accordance with Fed.R.Civ.P. 4(i) within fourteen (14) days of the date of the order granting the application to proceed in forma pauperis. (LR 83.40.2)

3) The defendant shall serve and file an answer, together with a certified copy of the transcript of the administrative record, within sixty (60) days of service of the complaint. (LR 83.40.3)

4) Within forty-five (45) days after service of the defendant's answer, the plaintiff shall serve and file a brief containing the following: statement of the case, statement of errors, argument and conclusion. (LR 83.40.4) Unless otherwise allowed by Order of Court, the brief shall not exceed fifteen (15) pages. (LR 83.40.7)

5) Within thirty (30) days after service of the plaintiff's brief, the defendant shall serve and file a brief in response to the plaintiff's brief. (LR 83.40.5) The brief shall comply with LR 83.40.5. Unless otherwise allowed by Order of Court, the brief shall not exceed fifteen (15) pages. (LR 83.40.7)

6) Within fourteen (14) days after filing of the defendant's brief, the plaintiff may file a reply brief. (LR 83.40.6) Unless otherwise allowed by Order of Court, the reply brief shall not exceed ten (10) pages. (LR 83.40.7)

7) No extensions of time will be permitted without a specific order of the court. Furthermore, failure of the plaintiff to comply with paragraph 4 of this order relating to the filing of a supporting brief will result in the dismissal of the case for failure to prosecute and abide by a court order. Noncompliance of the plaintiff with paragraph 4 will result in the dismissal without any further warning from the court. Failure of the defendant to comply with paragraph 5 of this order relating to the filing of an opposition brief will result in the plaintiff's appeal being deemed unopposed.

8) The parties shall comply with LR 7.1 through 7.8 with respect to any motions filed in this case.



Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania

DATE: December 11, 2013