

**United States Court of Appeals  
FOR THE EIGHTH CIRCUIT**

---

No. 10-2838

---

Ralph Mercer,

Appellant,

v.

Michael J. Astrue,  
Commissioner of Social Security,

Appellee.

\*  
\*  
\*  
\* Appeal from the United States  
\* District Court for the Western  
\* District of Missouri.  
\*  
\* [UNPUBLISHED]  
\*  
\*

---

Submitted: January 26, 2011

Filed: February 1, 2011 (Corrected 2/1/11)

---

Before BYE, ARNOLD, and SHEPHERD, Circuit Judges.

---

PER CURIAM.

Ralph Mercer appeals the district court's<sup>1</sup> order dismissing his 42 U.S.C. § 405(g) action. Upon careful consideration of the record and Mercer's arguments for reversal, see Boock v. Shalala, 48 F.3d 348, 351 n.2 (8th Cir. 1995) (standard of review), we conclude that the facts do not show a violation of Mercer's due process rights. Accordingly, we affirm. See 8th Cir. R. 47B.

---

<sup>1</sup>The Honorable Gary A. Fenner, United States District Judge for the Western District of Missouri.