

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

No. 10-2838

Ralph Mercer, *
*
Appellant, *
* Appeal from the United States
v. * District Court for the Western
* District of Missouri.
Michael J. Astrue, *
Commissioner of Social Security, * [UNPUBLISHED]
*
Appellee. *

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's¹ 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.

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