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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

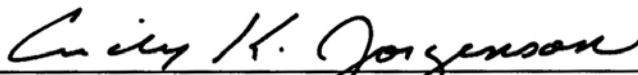
ANNETTE PYE,	)	No. CV 07-685-TUC-CKJ (HCE)
Plaintiff,	)	
vs.	)	<b>ORDER</b>
MICHAEL J. ASTRUE, Commissioner	)	
of Social Security,	)	
Defendant.	)	

On February 20, 2009, Magistrate Judge Hector C. Estrada issued a Report and Recommendation [Doc. #14] in which he recommended that Defendant's Motion to Dismiss [Doc. #12] be granted. No objections have been filed within the time provided by 28 U.S.C. § 636(b)(1).

Accordingly, after an independent review, IT IS ORDERED:

1. The Report and Recommendation [Doc. #14] is ADOPTED;
2. Defendant's Motion to Dismiss [Doc. #12] is GRANTED. This matter is DISMISSED WITHOUT PREJUDICE;
3. Plaintiff's Complaint shall be construed as a request for review. Further, review of this claim shall be expedited by Defendant at the Appeals Council level; and
4. The Clerk of the Court shall enter judgment in this matter, and close its file.

DATED this 1<sup>st</sup> day of April, 2009.

  
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 Cindy K. Jorgenson  
 United States District Judge