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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Fred H Martin, Jr.,

10 Plaintiff,

11 v.

12 Commissioner of Social Security
13 Administration,

14 Defendant.

No. CV-17-00444-TUC-JR

ORDER

15 Plaintiff and Defendant, the Acting Commissioner of Social Security, having
16 agreed to the jurisdiction of Magistrate Judge Rateau, she ruled for Defendant. On June
17 5, 2018, the Clerk of the Court entered Judgment for the Commissioner. Two Defendants
18 remain: Jeff Sessions and Peter Baum. The Court has reviewed the record. Defendant
19 Baum was never served in this case. There are no allegations in the Complaint against
20 Defendant Sessions, the United States Attorney General. The Court believes he may
21 have been named out of an abundance of caution based on Federal Rule Civil Procedure,
22 Rule 4(i)(B), which requires a copy of the summons and complaint to be sent by
23 registered or certified mail to him. There is no requirement to name the United States
24 Attorney General in the Complaint; he was, as required, been served. The Plaintiff's
25 claim has been denied on the merits.

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Accordingly,

IT IS ORDERED that the Clerk of the Court shall dismiss Defendants Baum and Sessions from the case and close it.

Dated this 12th day of June, 2018.



Honorable David C. Bury
United States District Judge