

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

JAMES SMITH

PLAINTIFF

V.

CASE NO.: 3:12CV00020 BD

**MICHAEL J. ASTRUE, Commissioner,
Social Security Administration**

DEFENDANT

ORDER

Plaintiff James Smith filed this action on January 24, 2012, after the administrative Appeals Council denied his request for appellate review. (docket entry #2) On January 26, 2012, the Appeals Council issued a second denial setting aside their previous action.

After the second denial, Mr. Smith filed a duplicate action in this Court. *Smith v. Astrue*, Case No. 3:12CV00038 (E.D. Ark., filed Feb. 3, 2012). Mr. Smith will pursue the issues raised in this case in his second, duplicate action. Accordingly, this case is DISMISSED, without prejudice.

DATED this 8th day of February, 2012.


UNITED STATES MAGISTRATE JUDGE