

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

LINDA FAYE WHITFIELD, on
behalf of William Lamar Weaver

PLAINTIFF

v.

No. 3:16-cv-151-DPM

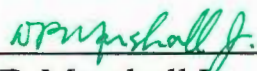
SOCIAL SECURITY ADMINISTRATION,
Commissioner

DEFENDANT


ORDER

The Court overrules Whitfield's objection, *No. 19*, and, on *de novo* review adopts Magistrate Judge Ray's recommendation, *No. 18*. Whitfield didn't timely seek judicial review of the agency decision; and she has not shown any circumstance that justifies equitably tolling the deadline. *Medallin v. Shalala*, 23 F.3d 199, 203-04 (8th Cir. 1994). The Commissioner's motion to dismiss, *No. 15*, construed as a motion for summary judgment, is granted. Whitfield's amended complaint will be dismissed with prejudice.

So Ordered.



D.P. Marshall Jr.
United States District Judge



17 May 2017