

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

ANDREA E. MURPHY

PLAINTIFF

V.

NO. 4:12CV00392 JTR

CAROLYN W. COLVIN,
Acting Commissioner,
Social Security Administration

DEFENDANT

ORDER

On May 6, 2013, the Commissioner filed a Motion to Dismiss Plaintiff's Complaint as untimely. (Docket entry #6). On August 21, 2013, the Commissioner supplemented her Motion with documents establishing the dates on which the Appeals Council denied review of Plaintiff's claims for benefits. (Docket entry #7).

On September 6, 2013, Plaintiff moved to voluntarily dismiss her case. (Docket entry #8). She states that the Commissioner has no objection to her Motion.

Because the Commissioner does not object, the Court will grant Plaintiff's request for a voluntary dismissal, and deny the Commissioner's Motion to Dismiss, as moot.

IT IS THEREFORE ORDERED THAT:

1. Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, Plaintiffs Motion to Dismiss (docket entry #8) is GRANTED, and this case is DISMISSED, WITHOUT PREJUDICE.

2. Defendant's Motion and Supplemental Motion to Dismiss (docket entries #6 and #7) are DENIED, AS MOOT.

DATED this 7th day of October, 2013.


UNITED STATES MAGISTRATE JUDGE