

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

RALPH SCREETON, IV

PLAINTIFF

v.

No. 4:23-cv-00009-LPR

MARTIN O'MALLEY, Commissioner,
Social Security Administration

DEFENDANT

ORDER

The Court has reviewed the Recommended Disposition (RD) submitted by United States Magistrate Judge Benecia B. Moore (Doc. 13). No objections have been filed, and the time for doing so has expired. After a *de novo* review of the RD and careful consideration of the case record, the Court hereby approves and adopts the RD in its entirety as this Court's findings and conclusions in all respects.¹

Accordingly, Defendant's Motion to Dismiss (Doc. 5) is GRANTED. Plaintiff's Complaint (Doc. 2) is DISMISSED without prejudice for lack of subject matter jurisdiction. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order or the accompanying Judgment would not be taken in good faith.

IT IS SO ORDERED this 9th day of July 2024.



LEE P. RUDOFSKY
UNITED STATES DISTRICT JUDGE

¹ Whether the exhaustion requirement here is conceived of as a claims processing rule, a jurisdictional requirement in and of itself, or a jurisdictional requirement by virtue of sovereign immunity principles, the result is the same: dismissal for failure to exhaust.