

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

CARL E. VINSANT

PLAINTIFF

v.

CIVIL NO. 13-2059

MICHAEL J. ASTRUE, Commissioner
Social Security Administration

DEFENDANT

MEMORANDUM OPINION

Plaintiff, Carl Vinsant, brings this action pursuant to 42 U.S.C. § 405(g) seeking judicial review of a decision of the Commissioner of Social Security (Commissioner). On March 1, 2013, the undersigned entered an order denying Plaintiff's Motion for Leave to Proceed In Forma Pauperis, and directing him to pay the \$350.00 filing fee on or before April 1, 2013. ECF No. 5. When Plaintiff failed to tender the filing fee as directed, the undersigned entered a Show Cause Order. ECF No. 8. In response to said Order, Plaintiff now moves to have his case dismissed. ECF. No. 9. Plaintiff states that he will not be paying the filing fee, and wishes to have the matter dismissed.

Accordingly, Plaintiff's motion to dismiss is hereby granted, and the clerk is directed to dismiss Plaintiff's case without prejudice.

DATED this the 3rd day of April 2013.

/s/ J. Marschewski

HONORABLE JAMES R. MARSCHEWSKI
CHIEF UNITED STATES MAGISTRATE JUDGE