

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

MUSA ABDUL-KHALIQ

PLAINTIFF

v.

CIVIL NO. 2:24-cv-02008-MEF

MARTIN O'MALLEY, Commissioner
Social Security Administration

DEFENDANT

MEMORANDUM OPINION

On January 17, 2024, Plaintiff, Musa Abdul-Khaliq, filed a Complaint pursuant to 42 U.S.C. § 405(g) seeking judicial review of a decision of the Commissioner of Social Security. (ECF No. 1). In so doing, however, he failed to pay the \$405 filing fee or file an Application to Proceed In Forma Pauperis. On January 18, 2024, this Court filed a Notice of Deficiency, directing the Plaintiff to either file an Application to Proceed In Forma Pauperis or pay the filing fee by February 8, 2024. Said notice warned the Plaintiff that his failure to act by the deadline could result in dismissal of his case. No response was filed, and the Court entered a Show Cause Order directing the Plaintiff to show cause by February 29, 2024. (ECF No. 5). The Plaintiff failed to respond and there is no evidence to suggest that this Order was undeliverable.

Accordingly, dismissal of the action is appropriate pursuant to FED. R. CIV. P. 41(b), and the Clerk of Court is directed to dismiss his Complaint without prejudice.

DATED this the 6th day of March 2024.

/s/ Mark E. Ford

HONORABLE MARK E. FORD
UNITED STATES MAGISTRATE JUDGE