

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HARRISON DIVISION

ROGER KAY STEPHENS

PLAINTIFF

v.

Case No. 3:11-CV-03118

MICHAEL J. ASTRUE, Commissioner  
Social Security Administration

DEFENDANT

**ORDER**

Currently before the Court is Plaintiff's Motion to Dismiss (Doc. 7). Plaintiff Roger Kay Stephens moves to dismiss this action stating that further appeal of this matter is unnecessary as Mr. Stephens is currently drawing Social Security benefits. The Response period for the Motion has passed without a response having been filed by Defendant. Upon due consideration, Plaintiff's motion (Doc. 7) is GRANTED and Plaintiff's cause of action is hereby DISMISSED WITHOUT PREJUDICE pursuant to Federal Rule of Civil Procedure 41(a)(2).

All other motions, and the Report and Recommendations, which remain pending in this case are TERMINATED AS MOOT as a result of this Order.

IT IS SO ORDERED this 15th day of February, 2012.

*P. K. Holmes, III*

P.K. HOLMES, III  
CHIEF U.S. DISTRICT JUDGE