

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

MARGO A. MIDDLETON

PLAINTIFF

v.

CIVIL NO. 12-3066

MICHAEL J. ASTRUE, Commissioner
Social Security Administration

DEFENDANT

ORDER

Currently before the Court is Defendant's Motion to Dismiss. By Order dated March 12, 2013, the Court directed Defendant to clarify an address discrepancy contained in the Declaration of Donald V. Ortiz regarding notification sent to Plaintiff. (Doc. 10).

On March 19, 2013, Defendant filed a response clarifying the address used by Defendant with regard to the December 1, 2011, Notice of denial. (Doc. 11). Defendant also pointed out that Plaintiff's counsel had withdrawn his representation of Plaintiff with respect to the applications currently at issue by a letter dated October 3, 2011.

Plaintiff is hereby directed to file a Reply on or before April 5, 2013. With this Reply, Plaintiff's counsel is directed to provide a copy of the request for review of the ALJ's November 16, 2010, decision. Plaintiff's counsel is also to address why he would have expected to receive a copy of the Appeals Council's December 1, 2011, Notice of denial when he had withdrawn his representation of Plaintiff in October of 2011.

IT IS SO ORDERED this 26 day of March, 2013.

/s/ Erin L. Setser

HON. ERIN L. SETSER
UNITED STATES MAGISTRATE JUDGE