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

### NELSON S. RUST

v.

### CIVIL NO. 3:16-cv-03074-MEF

CAROLYN COLVIN, Commissioner Social Security Administration

# **MEMORANDUM OPINION AND ORDER**

Plaintiff, Regina Winters, brings this action pursuant to 42 U.S.C. § 405(g) seeking judicial review of a decision of the Commissioner of Social Security ("Commissioner"). (ECF No. 1) On December 16, 2016, Plaintiff filed a Motion to Dismiss. (ECF No. 12) Plaintiff now concedes that substantial evidence supports the Commissioner's determination that he was not disabled during the relevant time period. Accordingly, Plaintiff's Motion to Dismiss is hereby granted, and the clerk is directed to dismiss Plaintiff's case with prejudice.

DATED this the 4th day of January, 2017.

<u>Isl Mark E. Ford</u> HONORABLE MARK E. FORD UNITED STATES MAGISTRATE JUDGE

#### DEFENDANT

PLAINTIFF