

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

ADAM LEE ACUFF

PLAINTIFF

v.

CIVIL NO. 08-5201

MICHAEL J. ASTRUE, Commissioner
Social Security Administration

DEFENDANT

JUDGMENT

Presently before the court is defendant's motion to dismiss plaintiff's Complaint as untimely. (Doc. #6). Plaintiff brought this action pursuant to 42 U.S.C. § 405(g) seeking judicial review of a decision of the Commissioner of the Social Security Administration (Commissioner) finding that plaintiff was not entitled to a period of disability, disability benefits, or supplemental security income under Titles II and XVI of the Social Security Act. For the reasons set forth in this Court's Memorandum Opinion, the defendant's motion is hereby granted and the clerk is ordered to dismiss plaintiff's Complaint.

IT IS SO ORDERED this 25th day of November 2008.

/s/ J. Marschewski

HON. JAMES R. MARSCHEWSKI
UNITED STATES MAGISTRATE JUDGE