

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge John L. Kane

Civil Action No. **07-cv-2407-AP**

MARY L. KREHMEYER,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of Social Security,

Defendant.

ORDER

Kane, J.

This matter is before the Court on Defendant's Motion to Dismiss Plaintiff's Complaint, Without Prejudice, for Failure to Exhaust Administrative Remedies (doc. #5), filed January 28, 2008, and the Unopposed Response thereto. The Motion is GRANTED. This case is DISMISSED WITH PREJUDICE for failure to exhaust administrative remedies. The complaint filed with this Court shall be considered a timely filed request for further administrative review of Plaintiff's underlying claims by the Appeals Council for the Social Security Administration.

Dated this 8th day of February, 2008.

BY THE COURT:

S/John L. Kane

John L. Kane, Senior Judge
United States District Court