

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

<b>THEODORE HEINEMANN,</b>	)	
	)	
<b>PLAINTIFF</b>	)	
	)	
<b>v.</b>	)	
	)	<b>CIVIL No. 1:16-cv-460-DBH</b>
<b>NANCY A. BERRYHILL, ACTING</b>	)	
<b>COMMISSIONER, SOCIAL SECURITY</b>	)	
<b>ADMINISTRATION,</b>	)	
	)	
<b>DEFENDANT</b>	)	

**ORDER ON DEFENDANT'S MOTION TO DISMISS**

The defendant's motion to dismiss for failure to exhaust administrative remedies is **GRANTED**.<sup>1</sup>

**SO ORDERED.**

**DATED THIS 27<sup>TH</sup> DAY OF FEBRUARY, 2017**

/s/D. BROCK HORNBY \_\_\_\_\_  
**D. BROCK HORNBY**  
**UNITED STATES DISTRICT JUDGE**

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<sup>1</sup> I waited extra time before ruling to allow the plaintiff an opportunity to respond, given his change of address, and the Commissioner's re-mailing of the motion to him on January 26, 2017. (ECF No. 32).