

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHEASTERN DIVISION

Shirley E. Fugleberg,)
)
Plaintiff,)
)
vs.)
)
Social Security Administration, Michael J.)
Astrue, Commissioner,)
)
Defendant.)

Case No. 3:12-cv-25

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

The Court has received a Report and Recommendation from the Honorable Karen K. Klein, United States Magistrate Judge, recommending that Shirley E. Fugleberg’s complaint against the Social Security Administration be dismissed without prejudice for failure to effectuate service on the Defendant (Doc. #8). Neither Fugleberg nor the Social Security Administration has objected to the Report and Recommendation.

The Court has reviewed the Report and Recommendation, along with the entire record in this matter, and finds that the Magistrate Judge’s position is correct. The Court adopts the Report and Recommendation in its entirety and **ORDERS** that Fugleberg’s complaint is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

Dated this 25th day of October, 2012

/s/ Ralph R. Erickson
Ralph R. Erickson, District Judge
United States District Court