

decision regarding overpayment, Plaintiff did not request a reconsideration of the Administration's initial determination or otherwise exhaust her available administrative remedies. *Id.* at 5. The "general rule" in Social Security appeals is that exhaustion of administrative remedies is essential to obtain federal court review "as a matter of preventing premature interference with agency processes, so that the agency may function efficiently and so that it may have an opportunity to correct its own errors . . .". *Weinberger v. Salfi*, 422 U.S. 749, 765 (1975).

The Court, having reviewed the R & R, the record before the Court and the applicable case law, finds that the Magistrate Judge has ably and comprehensively addressed the factual and legal issues in this matter. Therefore, the Court hereby adopts the R & R as the Order of the Court. This matter is dismissed without prejudice and without issuance and service of process.

AND IT IS SO ORDERED.



Richard Mark Gergel
United States District Judge

May 15 2012
Charleston, South Carolina