

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 03-1762

Lisa Barber,

Appellant,

v.

Jo Anne B. Barnhart, Commissioner,
Social Security Administration,

Appellee.

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Appeal from the United States
District Court for the
Eastern District of Arkansas.

[UNPUBLISHED]

Submitted: August 29, 2003

Filed: September 4, 2003

Before WOLLMAN, FAGG, and MORRIS SHEPPARD ARNOLD, Circuit Judges.

PER CURIAM.

Lisa Barber appeals from the district court's¹ dismissal as untimely of her complaint seeking review of the Commissioner's denial of supplemental security income. Having carefully reviewed the record and the parties' submissions on appeal,

¹The Honorable George Howard, Jr., United States District Judge for the Eastern District of Arkansas, adopting the proposed findings and recommendations of the Honorable Henry L. Jones, Jr., United States Magistrate Judge for the Eastern District of Arkansas.

we conclude that dismissal of the complaint was proper, because it was filed more than sixty days after her attorney received notice of the Commissioner's final decision. See 42 U.S.C. § 405(g); Bess v. Barnhart, 337 F.3d 988, 990 (8th Cir. 2003) (per curiam) (limitations period under § 405(g) is triggered by notice received by either claimant or claimant's attorney, whichever occurs first).

Accordingly, we affirm. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.