

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

FRANK SPARKS, JR.,)	
)	
Plaintiff,)	
v.)	CASE NO. 3:09-cv-1129-MEF
)	
MICHAEL J. ASTRUE, Commissioner)	(WO)
of Social Security,)	
)	
Defendant.)	

ORDER

After an independent review of the file, it is the ORDER, JUDGMENT, and DECREE of this Court:

1. The plaintiff’s objection (Docs. # 28 & 30) to the Recommendation of the Magistrate Judge, filed on July 23, 2010, is OVERRULED.
2. The Recommendation of the Magistrate Judge (Doc. # 27), filed on July 12, 2010 is ADOPTED.
3. The Commissioner’s motion to dismiss (Doc. # 20) is GRANTED and this action is DISMISSED for lack of subject matter jurisdiction.

DONE this the 4th day of August, 2010.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE