

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

RONNIE S. COBY,	:	
Plaintiff,	:	
vs.	:	CIVIL ACTION 09-0544-CG-M
MICHAEL J. ASTRUE,	:	
Commissioner of Social Security,	:	
Defendant.	:	

ORDER

After due and proper consideration of all pleadings in this file, and there having been no objections filed, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is adopted as the opinion of this Court.

It is **ORDERED** that Defendant's Motion to Dismiss (Doc. 12) be **DENIED**. This action will proceed to an adjudication of the merits.

DONE and ORDERED this 4th day of December, 2009.

/s/ Callie V. S. Granade

CHIEF UNITED STATES DISTRICT JUDGE