

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

SHANE A. ROGERS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 11-00560-WS-N
	)	
MICHAEL J. ASTRUE,	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a *de novo* determination of those portions of the Report and Recommendation to which objection is made, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated October 1, 2012, is **ADOPTED** as the opinion of this Court and this action is hereby **DISMISSED with prejudice** as untimely under 42 U.S.C. § 405(g).

**DONE** this 17th day of October, 2012.

s/WILLIAM H. STEELE  
**CHIEF UNITED STATES DISTRICT JUDGE**