

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

VIVIAN NELL NICHOLS

PLAINTIFF

vs.

Civil No. 2:12-cv-02265

CAROLYN COLVIN  
Commissioner, Social Security Administration

DEFENDANT

**ORDER**

Before the Court is the Report and Recommendation filed on May 9, 2013 by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. ECF No. 16. Judge Bryant recommends Defendant's Motion to Dismiss (ECF No. 14) be **GRANTED**. Plaintiff has not filed objections to the Report and Recommendation, and the time to object has passed. *See* 28 U.S.C. § 636(b)(1).

The Court has reviewed this case, and being well and sufficiently advised, finds the Report and Recommendation is proper and should be adopted in its entirety. Accordingly, the Court hereby adopts the Report and Recommendation, and finds Defendant's Motion to Dismiss (ECF No. 14) should be **GRANTED** and Plaintiff's case is dismissed without prejudice.

**IT IS SO ORDERED, this 30th day of May, 2013.**

/s/ Robert T. Dawson  
HON. ROBERT T. DAWSON  
UNITED STATES DISTRICT JUDGE