

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**DONALD L. PARKER**

**CIVIL ACTION**

**VERSUS**

**NO. 12-1942**

**MICHAEL J. ASTRUE,  
COMMISSIONER OF SOCIAL  
SECURITY ADMINISTRATION**

**SECTION "C" (3)**

**AMENDED ORDER**

**IT IS ORDERED** that the Order adopting Report and Recommendation is VACATED. Rec. Doc. 20.

The Court, having considered the petition, the record, the applicable law, the Magistrate Judge's Report and Recommendation, and the plaintiff's objections thereto, hereby approves the Magistrate Judge's Report and Recommendation and adopts it as its opinion.

Accordingly,

**IT IS FURTHER ORDERED** that the defendant's Motion to Dismiss is GRANTED and that the plaintiff's complaint be and is hereby DISMISSED WITHOUT PREJUDICE.

New Orleans, Louisiana, this 21st day March, 2013.

  
UNITED STATES DISTRICT JUDGE