

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

FILED  
U.S. DIST. COURT  
MIDDLE DISTRICT OF LOUISIANA  
2009 FEB 17 P 2:43

SUSAN BABIN

VERSUS

MICHAEL J. ASTRUE,  
COMMISSIONER OF SOCIAL  
SECURITY

CIVIL ACTION

BY DEPUTY CLERK

NO. 08-64-JJB-SCR

**RULING**

The court has carefully considered the petition, the record, the law applicable to this action, and the Report and Recommendation of United States Magistrate Judge Stephen C. Riedlinger dated December 18, 2008 (doc. no. 6) to which no objection was filed.

The court hereby approves the report and recommendation of the magistrate judge and adopts it as the court's opinion herein. Accordingly, the plaintiff's complaint is DISMISSED without prejudice for failure to serve the defendant pursuant to Rule 4(m), Fed.R.C.v.P.

Baton Rouge, Louisiana, this 17<sup>th</sup> day of February, 2009.

  
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JAMES J. BRADY  
UNITED STATES DISTRICT JUDGE