

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

FILED
U.S. DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

STEVENS J. WHITE

CIVIL ACTION

2009 APR 22 P 2:23

VERSUS

NO. 08-204-FJP-DLD

MICHAEL J. ASTRUE ,
COMMISSIONER OF THE SOCIAL
SECURITY ADMINISTRATION


O P I N I O N

After independently reviewing the entire record in this case and for reasons set forth in the Magistrate Judge's Report to which no objection was filed:

IT IS ORDERED that defendant's motion to dismiss under Rule 12(b)(1) shall be GRANTED in part and DENIED in part, and any claims in plaintiff's writ which are specific to the miscalculation and/or improper denial of his SSI and/or DIB shall be DISMISSED without prejudice.¹

IT IS FURTHER ORDERED that plaintiff's claims relating to the termination and return of plaintiff's benefits received on behalf of his minor children shall be allowed to move forward at this time.

Baton Rouge, Louisiana, ^{April} ~~March~~ 22, 2009.


FRANK J. POLOZOLA
MIDDLE DISTRICT OF LOUISIANA

¹ Rec. Doc. No. 10.
Doc#45957