

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

RANDALL EDWARD ALBIN

CIVIL ACTION

VERSUS

COMMISSIONER OF SOCIAL  
SECURITY

NO.: 12-00649-BAJ-RLB

**RULING AND ORDER**

On January 31, 2014, United States Magistrate Judge Richard L. Bourgeois, Jr. issued a Report and Recommendation, pursuant to 28 U.S.C. § 636(b)(1)(B), recommending that the final decision of the Commissioner of the Social Security Administration (the “Commissioner”) be affirmed, and Plaintiff Randall Edward Albin’s (“Albin”) appeal be dismissed, with prejudice. (Doc. 14.)

The Magistrate Judge’s Report specifically notified Albin that, pursuant to 28 U.S.C. § 636(b)(1), he had fourteen (14) days from the date he received the Report and Recommendation to file written objections to the proposed findings of fact, conclusions of law, and recommendations set forth therein. (Doc. 14, p. 1.)

On February 18, 2014, Albin submitted timely written objections to the Report and Recommendation.<sup>1</sup> However, after carefully considering the Magistrate Judge’s

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<sup>1</sup> Electronic service of the Magistrate Judge’s Report and Recommendation occurred on January 31, 2014. *See* Fed.R.Civ.P. 5(b)(2)(E). Fourteen days from the date of service, excluding the date of service, was February 14, 2014. Fed.R.Civ.P. 6(a)(1). Federal Rule of Civil Procedure (“Rule”) 6(d) requires that the Court give parties an additional three days when service is made under Rule 5(b)(2)(E). Thus, Albin’s deadline to file written objections to the Magistrate Judge’s Report was February 17, 2014.

Report and Recommendation, Albin's written objections, the record, and the applicable law, the Court concludes that the Magistrate Judge's Report and Recommendation is correct, and hereby adopts its findings of fact, conclusions of law, and recommendation.

Accordingly,

**IT IS ORDERED** that the **Magistrate Judge's Report and Recommendation (Doc. 14)** is **ADOPTED** as the Court's opinion herein.

**IT IS FURTHER ORDERED** that Commissioner's decision is **AFFIRMED**.

**IT IS FURTHER ORDERED** that the above-captioned matter is **DISMISSED**, with prejudice.

Baton Rouge, Louisiana, this 25th day of March, 2014.



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**BRIAN A. JACKSON, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA**

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However, February 17, 2014 was a legal holiday. Thus, Albin's deadline was extended to February 18, 2014. Fed.R.Civ.P. 6(a)(1)(C).