

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

LILLIAN J. TOSTON

*** CIVIL ACTION NO. 13-2767**

VERSUS

*** JUDGE ROBERT G. JAMES**

**CAROLYN W. COLVIN, ACTING
COMMISSIONER, SOCIAL
SECURITY ADMINISTRATION**

*** MAG. JUDGE KAREN L. HAYES**

J U D G M E N T

The Report and Recommendation of the Magistrate Judge having been considered, no objections thereto having been filed, and finding that same is supported by the law and the record in this matter,

IT IS ORDERED, ADJUDGED, AND DECREED that the motion to dismiss for lack of subject matter jurisdiction, Fed.R.Civ.P. 12(b)(1), [doc. # 6], filed by Defendant, Carolyn W. Colvin, Commissioner, Social Security Administration, is hereby DENIED, but that her alternative motion for summary judgment [doc. # 6] is hereby GRANTED, dismissing with prejudice Plaintiff's complaint, in its entirety, as time-barred. Fed.R.Civ.P. 56.

THUS DONE AND SIGNED in chambers, this 12th day of March 2014, Monroe, Louisiana.



ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE