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WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE, LOUISIANAUNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE-OPELOUSAS DIVISION

BYRON BENOIT

\*

CIVIL ACTION NO. 08-0829

VS.

\*

JUDGE DOHERTY

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

MAGISTRATE JUDGE HILL

JUDGMENT

This matter was referred to United States Magistrate Judge C. Michael Hill for his Report and Recommendation. After an independent review of the record and the applicable jurisprudence, and noting the absence of objection, this Court concludes that the Report and Recommendation of the magistrate judge is correct, and this Court adopts the conclusions set forth therein.

Accordingly, **IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** that the Commissioner's decision is **AFFIRMED**, and that Benoit's case is **DISMISSED** without prejudice.

Lafayette, Louisiana this 29 day of September, 2009.

  
REBECCA F. DOHERTY  
UNITED STATES DISTRICT COURT