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WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

**UNITED 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**