

AUG 15 2016

TONY R. MOORE CLERK
BY  DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

DIANNE WEEKS

CIVIL ACTION NO. 6:15-CV-02653

VERSUS

JUDGE WALTER

U.S. COMMISSIONER, SOCIAL
SECURITY ADMINISTRATION

MAGISTRATE JUDGE HANNA

JUDGMENT

This matter was referred to United States Magistrate Judge Patrick J. Hanna for report and recommendation. After an independent review of the record, and consideration of objections filed, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own. Accordingly,

IT IS ORDERED, ADJUDGED, AND DECREED that the defendant's alternative motions (Rec. Doc. 11) be resolved as follows, consistent with the report and recommendation:

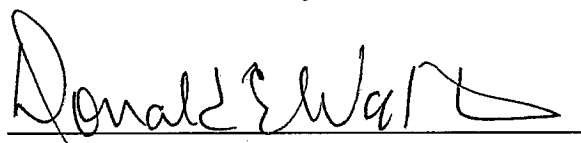
(1) The defendant's motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(1) is GRANTED with regard to the plaintiff's claim for judicial review of the Commissioner's decision not to reopen her Social Security disability claim and also with regard to the plaintiff's claim for alleged violations of her constitutional due process rights;

(2) The defendant's motion for summary judgment is GRANTED with regard to the plaintiff's claim for judicial review of the Commissioner's April 2012 ruling, the plaintiff's Administrative Procedures Act claim, and the plaintiff's mandamus claim;

(3) The defendant's motion for dismissal under Fed. R. Civ. P. 12(b)(1) and alternative motion for summary judgment are DENIED in all other respects; and

(4) Having granted either the motion to dismiss or the motion for summary judgment with regard to each of the plaintiff's claims, it is further ordered that this matter be dismissed in its entirety.

Signed at Shreveport, Louisiana, this 8 day of August, 2016.


~~ROBERT G. JAMES~~
UNITED STATES DISTRICT JUDGE