

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

DAUN CHALLENGER BURNS

PLAINTIFF

v.

CAUSE NO. 1:10CV483-LG-RHW

MICHAEL J. ASTRUE

DEFENDANT

JUDGMENT

This matter having come on to be heard on the Proposed Findings of Fact and Recommendation [17] entered by United States Magistrate Judge Robert H. Walker on May 16, 2012, the Court, after a full review and consideration of the Motion, the pleadings on file and the relevant legal authority, finds that in accord with the Order entered herein,

IT IS, THEREFORE, ORDERED AND ADJUDGED that the the Proposed Findings of Fact and Recommendation [17] entered by United States Magistrate Judge Robert H. Walker is **ADOPTED** as the opinion of this Court.

IT IS, FURTHER, ORDERED AND ADJUDGED that the Commissioner's Motion to Dismiss [12] is **GRANTED** and Burns' Motion for Judgment [15] is **DENIED**. This lawsuit is hereby **DISMISSED FOR LACK OF SUBJECT MATTER JURISDICTION**.

SO ORDERED AND ADJUDGED this the 12th day of June, 2012.

s/ Louis Guirola, Jr.
LOUIS GUIROLA, JR.
CHIEF U.S. DISTRICT JUDGE