

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

CATHERINE A. COX §  
v. § CIVIL ACTION NO. 2:10cv129  
COMMISSIONER, SOCIAL SECURITY §  
ADMINISTRATION

ORDER ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES  
MAGISTRATE JUDGE

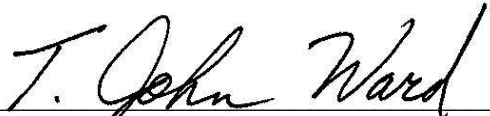
The Report and Recommendation of the Magistrate Judge, which contains his findings, conclusions, and recommendation for the disposition of this action, has been presented for consideration. The Report and Recommendation recommends that action be reversed and remanded for further consideration consistent with the findings therein. No written objections have been filed. The findings and conclusions of the Magistrate Judge are therefore adopted as those of the Court.

In light of the foregoing, it is

**ORDERED** that the action is hereby **DISMISSED WITHOUT PREJUDICE** for failure to prosecute and failure to obey an order, Fed. R. Civ. P. 41(b); Rule 41, Local Rules for the Eastern District of Texas, and for failure to serve summons on the Defendant within the time specified by the Court for doing so. Fed. R. Civ. P. 4(m). It is further

**ORDERED** that any motion not previously ruled on is **DENIED**.

SIGNED this 28th day of April, 2011.

  
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T. JOHN WARD  
UNITED STATES DISTRICT JUDGE