

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

TINA J. PARKER,
Plaintiff,

v.

CAROLYN W. COLVIN
ACTING COMMISSIONER OF
SOCIAL SECURITY
Defendant.

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CASE No. 6:16-cv-474-RC-JDL

ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE

On May 28, 2016, Plaintiff initiated the above entitled and numbered civil action pursuant to the Social Security Act, Section 205(g) for judicial review of the Commissioner's denial of Plaintiff's application for Social Security benefits. The case was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636.

On October 6, 2016, the Commissioner filed a Motion to Dismiss Under Rule 12(b)(1). Docket No. 9. Ms. Parker filed a response. Docket No. 11.

On March 15, 2017, the Magistrate Judge issued a Report and Recommendation in which he recommended granting the Commissioner's Motion. Docket No. 14. The Report of the Magistrate Judge, which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration.

Neither party has filed any objections. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly **ORDERED** that the Commissioner's Motion to Dismiss is **GRANTED** and the complaint is hereby **DISMISSED WITHOUT PREJUDICE**.

So Ordered and Signed

Apr 3, 2017



Ron Clark, United States District Judge