

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

DELORES DIANE ALLEN

vs.

**COMMISSIONER, SOCIAL
SECURITY ADMINISTRATION**

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CASE NO. 6:17CV674

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

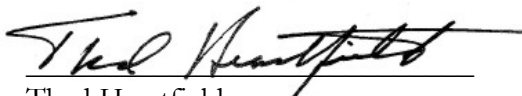
The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation (ECF 16), filed on May 7, 2018, recommends that the Motion to Dismiss be granted and that this social security action be dismissed without prejudice to re-filing if Plaintiff receives a favorable decision from the Appeals Council on her request for an extension of time. No written objections have been filed. The Court therefore **ADOPTS** the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is hereby

ORDERED that the Motion to Dismiss (ECF 16) is **GRANTED**. The above-entitled action is **DISMISSED WITHOUT PREJUDICE** to re-filing if Plaintiff receives a favorable decision from the Appeals Council on his request for an extension of time.

Any motion not previously ruled on is **DENIED**.

SIGNED this the 29 day of May, 2018.


 Thad Heartfield
 United States District Judge