

The Report and Recommendation (ECF No. 26) filed on June 10, 2013, recommended that Plaintiff's Motion for Summary Judgment (ECF Nos. 11 & 15) be denied, that the Commissioner's Motion for Summary Judgment (ECF No. 21) be granted, and that the Commissioner's decision be affirmed. Service was made on all counsel of record. The parties were informed that, in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.D.2 of the Local Rules of Court, they had fourteen (14) days to file written objections to the Report and Recommendation. Plaintiff filed Objections to the Report and Recommendation (ECF No. 30) on July 1, 2013. Defendant filed a Response to the Objections (ECF No. 31) on July 26, 2013.

After review of the pleadings and documents in this case, together with the Report and Recommendation, objections, and response to objections, the following order is entered:

**AND NOW**, this 5th day of August, 2013,

**IT IS HEREBY ORDERED** that Plaintiff's Motion for Summary Judgment (ECF Nos. 11 & 15) is **DENIED**, that the Defendant's Motion for Summary Judgment (ECF No. 21) is **GRANTED**, and that the decision of the Commissioner is **AFFIRMED**.

**IT IS FURTHER ORDERED** that the Report and Recommendation of Chief Magistrate Judge Lenihan (ECF No. 26) is adopted as the opinion of the Court.

BY THE COURT:

s/ Terrence F. McVerry  
United States District Judge

cc: All Counsel of Record  
*Via Electronic Mail*