

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

CHRISTOPHER WALSH,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	
)	No. 2:16-cv-42
NANCY BERRYHILL,)	Reeves/Corker
Acting Commissioner of Social Security,)	
)	
<i>Defendant.</i>)	

Memorandum Opinion and Order

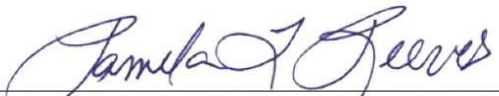
Before the Court is the Report and Recommendation (“R&R”) of Magistrate Judge Corker. The Commissioner of Social Security moved for summary judgment on Christopher Walsh’s claim, and Walsh did not respond. Judge Corker recommends that the Commissioner’s motion be granted.

After Judge Corker entered his R&R, Walsh filed a motion for summary judgment and response to the Commissioner’s motion. But according to the scheduling order, Walsh had to file his motion by December 12, 2016. He did not file his motion until June 26, 2017. The scheduling order further states that, if Walsh misses the deadline, he will have forfeited his right to file any brief. The Court thus cannot consider the motion and response as such.

Nor can the Court construe the motion and response as objections to the R&R. Walsh’s filing is directed entirely at the Commissioner’s brief. It makes no mention of the R&R. So the Court has no basis to consider Walsh’s motion and response.

After reviewing the record, the Court agrees with the R&R and **ADOPTS** it. For the reasons stated in the R&R, the Commissioner’s motion for summary judgment is **GRANTED**, and this suit is **DISMISSED with prejudice**.

IT IS SO ORDERED.


 UNITED STATES DISTRICT JUDGE