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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Mary L. Loeffler-Boggia,)	No. CV 07-335-TUC-FRZ (JM)
Plaintiff,)	
vs.)	ORDER
Michael J. Astrue, Commissioner of)	
Social Security,)	
Defendant)	

Pending before the Court is Plaintiff's Motion for Summary Judgment pertaining to the denial of disability benefits. Also pending before the Court is Defendant's Cross-Motion for Summary Judgment regarding the same denial of disability benefits.

United States Magistrate Judge Jacqueline Marshall issued a Report and Recommendation on November 18, 2008. In that Report and Recommendation, Magistrate Judge Marshall recommended denying Plaintiff's Motion for Summary Judgment and granting Defendant's Cross-Motion for Summary Judgment.

The Report and Recommendation indicated that any party could file written objections within ten days after being served with a copy of the Report and Recommendation. The parties have not filed objections to the Report and Recommendation. As such, the Court will not consider any objections or new evidence.

The Court has reviewed the record and concludes that Magistrate Judge Marshall's recommendations are not clearly erroneous. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72;

1 *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999); *Conley v. Crabtree*, 14
2 F. Supp. 2d 1203, 1204 (D. Or. 1998).

3 Accordingly, IT IS HEREBY ORDERED as follows:

4 (1) United States Magistrate Judge Marshall's Report and Recommendation (Doc. #24) is
5 **ACCEPTED AND ADOPTED.**

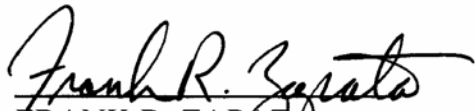
6 (2) Plaintiff's Motion for Summary Judgment (Doc. #14) is **DENIED.**

7 (3) Defendant's Cross-Motion for Summary Judgment (Doc. #21) is **GRANTED.** This case
8 is **DISMISSED WITH PREJUDICE.**

9 (4) The **Clerk of the Court** is **directed to enter judgment accordingly and close the file**
10 **in this matter.**

11 DATED this 11th day of February, 2009.

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FRANK R. ZAPATA
United States District Judge