

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE


KEVIN ERIC WHALEY,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 18-720 (MN) (MPT)
)	
NANCY A. BERRYHILL, Acting)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

WHEREAS, on April 26, 2019, Chief Magistrate Judge Thyng issued a Report and Recommendation (D.I. 22) in this action, which recommended that the Court deny Plaintiff’s Motion for Summary Judgment (D.I. 15) and grant the Commissioner’s Cross-Motion for Summary Judgment (D.I. 19); and

WHEREAS, no party filed objections to the Report and Recommendation pursuant to 72(b)(2) of the Federal Rules of Civil Procedure in the prescribed period, and the Court finding no clear error on the face of the record.

THEREFORE, IT IS HEREBY ORDERED this 14th day of May 2019 that the Report and Recommendation is ADOPTED. Plaintiff’s Motion for Summary Judgment (D.I. 15) is DENIED and the Commissioner’s Cross-Motion for Summary Judgment (D.I. 19) is GRANTED. The Clerk of Court is directed to CLOSE this case.


 The Honorable Maryellen Noreika
 United States District Court Judge