

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

**JOSEPH GULLO,**

**Plaintiff,**

**-vs-**

**Case No. 6:08-cv-1565-Orl-31KRS**

**COMMISSIONER OF THE SOCIAL  
SECURITY ADMINISTRATION,**

**Defendant.**

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**ORDER**

On January 5, 2010, Magistrate Judge Spaulding entered a Report and Recommendation (Doc. 23), recommending that the final decision of the Commissioner of Social Security denying in part Plaintiff's claim for social security benefits (Doc. 1) be affirmed. Plaintiff filed timely objections to the Report (Doc. 24), which the Court finds are without merit. Upon *de novo* review of the above, the Court concurs with the recommendation of the Magistrate Judge. It is, therefore

**ORDERED** that:

1. The Report and Recommendation of the Magistrate Judge is Adopted and Confirmed;
2. The decision of the commissioner is AFFIRMED. The Clerk is directed to enter judgment for the Defendant and close the file.

**DONE and ORDERED** in Chambers, Orlando, Florida on February 2, 2010.

Copies furnished to:

United States Magistrate Judge  
Counsel of Record  
Unrepresented Party

  
**GREGORY A. PRESNELL**  
UNITED STATES DISTRICT JUDGE