

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

JAMES MUIR, II,

Plaintiff,

v.

Case No. 8:07-cv-727-T-24-TBM

MICHAEL J. ASTRUE,  
Commissioner of the U.S.  
Social Security Administration,

Defendant.

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**ORDER**

This cause comes before the Court for consideration of Plaintiff's complaint seeking review of the decision of the Commissioner of the U.S. Social Security Administration denying his claim for Social Security disability benefits and Supplemental Security Income payments. (Doc. No. 1.) This complaint was considered by the United States Magistrate Judge. Magistrate Judge McCoun filed his Report and Recommendation, finding that the Administrative Law Judge's decision is supported by substantial evidence and proper legal principles, and recommending that the Commissioner's decision be affirmed. (Doc. No. 17.)

All parties were furnished copies of the Report and Recommendation on February 27, 2009, and were afforded the opportunity to file objections pursuant to 28 U.S.C. § 636(b)(1). No such objections were filed. Upon consideration of the Report and Recommendation, and upon this Court's independent examination of the file, it is determined that the Report and Recommendation should be adopted.

Accordingly, it is now **ORDERED AND ADJUDGED** that

- (1) The Magistrate Judge's Report and Recommendation (Doc. No. 17) is adopted and incorporated by reference in this Order of the Court;
- (2) The decision of the Commissioner of the U.S. Social Security Administration is **AFFIRMED**; and
- (3) The Clerk is directed to enter judgment in favor of Defendant and to close this case.

**DONE AND ORDERED** at Tampa, Florida, this 24th day of March, 2009.

  
SUSAN C. BUCKLEW  
United States District Judge

Copies to:  
The Honorable Thomas B. McCoun, III  
Counsel of Record