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IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF FLORIDA PENSACOLA DIVISION

TIM BORGSTROM, Plaintiff,

v.

No: 3:09cv510/LAC/MD

MICHAEL J. ASTRUE, Commissioner of Social Security, Defendant.

This cause comes on for consideration upon the magistrate judge's report and recommendation dated September 28, 2010. The plaintiff has been furnished a copy of the report and recommendation and has been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). No objections have been filed.

Having considered the report and recommendation, I have determined that the report and recommendation should be adopted.

Accordingly, it is now ORDERED as follows:

1. The magistrate judge's report and recommendation is adopted and incorporated by reference in this order.

2. The decision of the Commissioner is AFFIRMED, this action is DISMISSED, and the clerk is directed to close the file.

DONE AND ORDERED this 3rd day of November, 2010.

s/L.A. Collier

LACEY A. COLLIER SENIOR UNITED STATES DISTRICT JUDGE