

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION
Case No. 08-23176-CIV-GRAHAM/TORRES

**CLOSED
CIVIL
CASE**

SHELLY M. DANIELS,

Plaintiff,

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security

Defendant.

ORDER

THIS CAUSE comes before the Court upon Plaintiff's Motion for Summary Judgment [D.E. 31] and Defendant's Motion for Summary Judgment [D.E. 36].

THE MATTER was referred by Clerk's Order to the Honorable United States Magistrate Judge Robert L. Dube pursuant to 28 U.S.C. § 636 and the Magistrate Rules for the Southern District of Florida [D.E. 3]. Judge Dube issued a Report and Recommendation [D.E. 39] recommending that Plaintiff's motion for summary judgment be denied and that Defendant's motion for summary judgment be granted. The parties have not filed objections to the Report.

THE COURT has conducted an independent review of the record and is otherwise fully advised in the premises. Based thereon, it is hereby

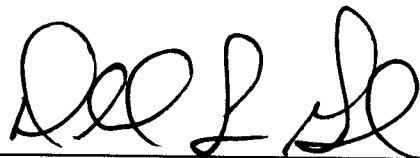
ORDERED AND ADJUDGED that the Magistrate Judge's Report [D.E. 39] is **AFFIRMED, ADOPTED AND RATIFIED** in its entirety. It is further

ORDERED AND ADJUDGED that Plaintiff's Motion for Summary Judgment [D.E. 31] is **DENIED**. It is further

ORDERED AND ADJUDGED that Defendant's Motion for Summary Judgment [D.E. 36] is **GRANTED**. Summary Judgment is entered in favor of Defendant. It is further

ORDERED AND ADJUDGED that this case is **CLOSED** and any pending motions are **DENIED** as moot.

DONE AND ORDERED in Chambers at Miami, Florida, this 16th day of July, 2010.



DONALD L. GRAHAM
UNITED STATES DISTRICT JUDGE

cc: U.S. Magistrate Judge Robert L. Dube