

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

CASE NO. 10-CV-23099-JLK/DUBÉ

BLANCA S. BALDELOMAR,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security

Respondent.

**ORDER ADOPTING REPORT & RECOMMENDATION, GRANTING SUMMARY
JUDGMENT TO DEFENDANT**

THIS CAUSE comes before the Court upon Magistrate Robert L. Dubé's March 14, 2011 Report and Recommendation (DE #17) upon cross motions for summary judgment filed by Plaintiff (DE #13) and Defendant (DE #16). In his Report and Recommendation, Magistrate Judge Dube correctly noted that the issue before him was whether there was substantial record evidence to support the denial of benefits to Plaintiff. He further found that there was sufficient record evidence to support such a finding and that Defendant's Motion for Summary Judgment should therefore be granted. No objections to Magistrate Judge Dubé's Report and Recommendation were filed.

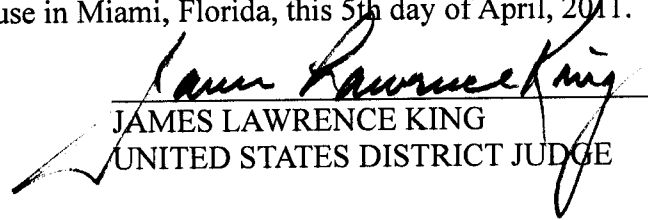
After careful consideration and *de novo* review, the Court determines that Magistrate Judge Dubé's Report and Recommendation contains well-reasoned and thorough recommendations. Accordingly, it is **ORDERED, ADJUDGED, and DECREED** that:

1. Magistrate Judge Dubé's Report & Recommendation (DE #17) is hereby **AFFIRMED and ADOPTED** as an Order of this Court.

2. Plaintiff's Motion for Summary Judgment (DE #13) is **DENIED**.
3. Defendant's Motion for Summary Judgment (DE #16) is **GRANTED**.
4. All pending motions are **DENIED** as **MOOT**.
5. The Clerk shall **CLOSE** this case.

DONE AND ORDERED in Chambers at the James Lawrence King Federal Justice

Building and United States Courthouse in Miami, Florida, this 5th day of April, 2011.


JAMES LAWRENCE KING
UNITED STATES DISTRICT JUDGE

Cc:

Magistrate Judge Robert L. Dubé

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