UNITED STATES DISTRICT COURT EASTERN DISTRICT OF LOUISIANA

RICHARD A. GUZZARDO

VERSUS

NUMBER: 10-00389

SECTION: "S"(5)

CIVIL ACTION

MICHAEL J. ASTRUE, COMMISSIONER OF THE SOCIAL SECURITY ADMINISTRATION

ORDER

The Court, having considered the motions, the record, the applicable law, the Magistrate Judge's Report and Recommendation, and the failure of plaintiff to file any objections to the Magistrate Judge's Report and Recommendation, hereby approves the Magistrate Judge's Report and Recommendation and adopts it as its opinion herein.

Accordingly,

IT IS ORDERED that plaintiff's motion for summary judgment is **DENIED** and that defendant's motion for summary judgment is **GRANTED**.

New Orleans, Louisiana, this <u>5th</u> day of <u>April</u>, 2011.

Mangum Viel Lemme UNITED STATES DISTRICT JUDGE