

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

_____	)
KAREN GRIFFITH,	)
	)
Plaintiff,	)
	)
v.	)
	)
MICHAEL J. ASTRUE,	)
	)
Defendant.	)
_____	)

No. 09-CV-10226-NMG

REPORT AND RECOMMENDATION  
ON CROSS-MOTIONS FOR JUDGMENT

November 23, 2010

SOROKIN, M.J.

The Plaintiff, Karen Griffith, moves pursuant to 42 U.S.C. § 405(g) for an order reversing an unfavorable decision by Defendant Michael Astrue, Commissioner of the Social Security Administration, and remanding her disability claim to the Commissioner for an award of benefits or in the alternative for further proceedings. The Commissioner moves for an order affirming his decision. For the following reasons, I RECOMMEND that Plaintiff’s Motion to Reverse or Remand (Docket # 10) be DENIED and that Defendant’s Motion for Order Affirming the Commissioner (Docket # 12) be ALLOWED.

**I. FACTS**

Mrs. Griffith was born in 1969. She demonstrated developmental difficulties by age 9, particularly in the academic setting (Tr. at 170). Her IQ was first tested at age 11, which showed that she functioned within the borderline range of intelligence (full scale IQ of 78) (Tr. at 185).

*Report and Recommendation accepted and adopted. J/M Gordon, USDJ 12/16/10*