

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RICHARD TRESSLER,

Plaintiff,

vs.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.
_____ /

Civil Action No.
06-CV-12817

HON. BERNARD A. FRIEDMAN

**ORDER ACCEPTING AND ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

On October 8, 2008, Magistrate Judge R. Steven Whalen submitted a Report and Recommendation ("R&R") in which he recommended that the court grant defendant's motion for summary judgment and deny plaintiff's motion for summary judgment. Neither party has objected to the R&R, and the time for them to do so has expired. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(2). The court has reviewed the R&R, the parties' summary judgment motions, and the administrative record and is persuaded that, for the reasons articulated by the magistrate judge, defendant's denial of plaintiff's application for disability insurance benefits is supported by substantial evidence. Accordingly,

IT IS ORDERED that Magistrate Judge Whalen's R&R is accepted and adopted as the findings and conclusions of the court.

IT IS FURTHER ORDERED that defendant's motion for summary judgment is

granted.

IT IS FURTHER ORDERED that plaintiff's motion for summary judgment is denied.

s/Bernard A. Friedman
BERNARD A. FRIEDMAN
CHIEF UNITED STATES DISTRICT JUDGE

Dated: October 28, 2008
Detroit, Michigan

I hereby certify that a copy of the foregoing document
was served upon counsel of record by electronic and/or first-class mail.

S/Carol Mullins
Case Manager to Chief Judge Friedman