

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KELLY D. HIGDON,

Plaintiff(s),

CASE NUMBER: 07-15292

HONORABLE VICTORIA A. ROBERTS

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant(s).

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

On August 19, 2008, Magistrate Judge Donald A. Scheer submitted a Report and Recommendation (Doc. #10) recommending that the Court DENY Plaintiff’s Motion for Summary Judgment (Doc. #8) and GRANT Defendant’s Motion for Summary Judgment. (Doc. #9).

On August 29, 2008, Plaintiff filed a “Notice of Intent not to File Objections to Magistrate Judge’s Report & Recommendation Dated August 19, 2008.” (Doc. #12). For that reason, the Court: (1) **ADOPTS** Magistrate Scheer’s Report and Recommendation; (2) **DENIES** Plaintiff’s Motion for Summary Judgment; and (3) **GRANTS** Defendant’s Motion for Summary Judgment.

**IT IS ORDERED.**

S/Victoria A. Roberts  
Victoria A. Roberts  
United States District Judge

Dated: September 4, 2008

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on September 4, 2008.

s/Carol A. Pinegar \_\_\_\_\_  
Deputy Clerk