

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MICHAEL H. GIER,

Plaintiff(s),

CASE NUMBER: 08-11745

HONORABLE VICTORIA A. ROBERTS

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant(s).

\_\_\_\_\_ /

**ORDER ADOPTING REPORT AND RECOMMENDATION**

On March 6, 2009, Magistrate Judge Mona K. Majzoub submitted a Report and Recommendation (Doc. #14) recommending that the Court DENY Plaintiff's Motion for Summary Judgment (Doc. #13) and GRANT Defendant's Motion for Summary Judgment (Doc. #12). Because the Court has not received objections from either party within the time frame provided for in 28 U.S.C. §636(b)(1) and E.D. Mich. LR 72.1(d)(3), the Court **ADOPTS** the Magistrate Judge's Report and Recommendation.

Plaintiff's Motion for Summary Judgment is **DENIED**; Defendant's Motion for Summary Judgment is **GRANTED**.

**IT IS ORDERED.**

s/Victoria A. Roberts \_\_\_\_\_

Victoria A. Roberts

United States District Judge

Dated: March 26, 2009

The undersigned certifies that a copy of this document was served on the attorneys of record and Michael Gier by electronic means or U.S. Mail on March 26, 2009.

s/Linda Vertriest \_\_\_\_\_  
Deputy Clerk