

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ANN MARIE ROBERTS,

Plaintiff,

v.

Case No. 09-12593  
Honorable Patrick J. Duggan

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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**OPINION AND ORDER**

At a session of said Court, held in the U.S.  
District Courthouse, Eastern District  
of Michigan, on July 19, 2010.

PRESENT: THE HONORABLE PATRICK J. DUGGAN  
U.S. DISTRICT COURT JUDGE

On July 1, 2009, Plaintiff filed this lawsuit challenging a final decision of the Commissioner denying her application for Social Security Disability Insurance Benefits. The next day, this Court referred the case to Magistrate Judge Charles E. Binder. On January 14, 2010, Plaintiff filed a motion for summary judgment seeking an award of benefits. On April 14, 2010, the Commissioner filed a motion for summary judgment. Magistrate Judge Binder considered both motions.

On May 24, 2010, Magistrate Judge Binder filed his Report and Recommendation (“R&R”) recommending that this Court deny Plaintiff’s motion, grant Defendant’s

motion, and affirm the findings of the Commissioner. At the conclusion of the R&R, Magistrate Judge Binder advises the parties that they may object and seek review of the R&R within 14 days of service upon them. (R&R at 16.) He further specifically advises the parties that “[f]ailure to file specific objections constitutes a waiver of any further right to appeal.” (*Id.*). Neither party filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Binder.

Accordingly,

**IT IS ORDERED** that Plaintiff’s motion for summary judgment is **DENIED**.

**IT IS FURTHER ORDERED** that Commissioner’s motion for summary judgment is **GRANTED**.

**IT IS FURTHER ORDERED** that the Commissioner’s denial of Plaintiff’s benefits is **AFFIRMED**.

A judgment consistent with this order shall issue.

s/PATRICK J. DUGGAN  
UNITED STATES DISTRICT JUDGE

Copies to:  
Kara L. Rosso, Esq.  
William L. Woodard, AUSA