

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

LEANNE SUE SMITH,

Plaintiff,

Civil Action No. 10-CV-14770

vs.

HON. BERNARD A. FRIEDMAN

COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.  
\_\_\_\_\_ /

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

This matter is presently before the court on cross motions for summary judgment. Magistrate Judge R. Steven Whalen has submitted a report and recommendation ("R&R") in which he recommends that plaintiff's motion be denied and defendant's motion be granted. Neither party has filed objections, and the time for doing so has expired.

The court has reviewed the administrative record, the parties' briefs and the R&R. The court finds the magistrate judge's analysis to be thorough and his recommendation to be sound. Accordingly,

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

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

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

S/Bernard A. Friedman\_\_\_\_\_

BERNARD A. FRIEDMAN

SENIOR UNITED STATES DISTRICT JUDGE

Dated: October 21, 2011  
Detroit, Michigan