

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Larry John Lizotte,

Plaintiff,

v.

Case No. 12-10181
Honorable Sean F. Cox

Commissioners of Social Security,

Defendant.

ORDER
ACCEPTING AND ADOPTING REPORT & RECOMMENDATION

Plaintiff brought this action seeking judicial review of the Commissioner's decision denying his application for Disability Insurance Benefits. Thereafter, the matter was referred to Magistrate Judge David Grand for determination of all non-dispositive motions pursuant to 28 U.S.C. § 636(b)(1) and Report and Recommendation pursuant to § 636(b)(1)(B) and (C).

Thereafter, the parties filed cross-motions for summary judgment. In a Report and Recommendation ("R&R") issued on September 25, 2012, Magistrate Judge Grand recommended that this Court: 1) Deny Plaintiff's Motion for Summary Judgment; and 2) Grant the Commissioner's Motion for Summary Judgment, affirming the findings and conclusions of the Commissioner.

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a Magistrate Judge must file objections to the R&R within fourteen (14) days after being served with a copy of the R&R. "The district judge to whom the case is assigned shall

make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge's disposition to which specific written objection has been made." *Id.*

The time for filing objections to the R&R has expired and the docket reflects that neither party has filed objections to the R&R.

The Court hereby ADOPTS the September 25, 2012 R&R. IT IS ORDERED that Plaintiff's Motion for Summary Judgment is DENIED.

IT IS FURTHER ORDERED that the Commissioner's Motion for Summary Judgment is GRANTED and that the Commissioner's findings and conclusions are AFFIRMED.

IT IS SO ORDERED.

S/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: October 25, 2012

I hereby certify that a copy of the foregoing document was served upon counsel of record on October 25, 2012, by electronic and/or ordinary mail.

S/Jennifer McCoy
Case Manager