

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANIEL TIMOTHY SYLVESTER,

Plaintiff,

CASE NUMBER: 12-13239

HONORABLE VICTORIA A. ROBERTS

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF THE MAGISTRATE JUDGE**

Before the Court are Plaintiff and Defendant's Motions for Summary Judgment.

On April 26, 2013, Magistrate Judge Michael Hluchaniuk submitted a Report and Recommendation, recommending that the Court deny Plaintiff's motion and grant Defendant's motion. The Court considered the Report and Recommendation, the objections filed by Plaintiff, and reply to the objections filed by Defendant.

Under 28 USC § 636(b)(1), this Court conducts de novo review of any part of the Magistrate Judge's reports and recommendations to which there are proper objections. After careful review of the entire record, the court agrees with Magistrate Judge Hluchaniuk's conclusions. The Report and Recommendation is thorough, lays out the facts and procedural history of the case, as well as relevant case law.

Accordingly, the Court **ADOPTS** the Report and Recommendation, **DENIES** Plaintiff's Motion for Summary Judgment and **GRANTS** Defendant's Motion for Summary Judgment.

IT IS ORDERED.

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

Dated: June 20, 2013

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on June 20, 2013.

S/Carol A. Pinegar
Deputy Clerk