

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RAE ANN JOHNSON,

Plaintiff,

Case No.13-cv-11463
HON. GERSHWIN A. DRAIN

vs.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

_____/

**ORDER ACCEPTING AND ADOPTING REPORT AND RECOMMENDATION (#14),
DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (#9) AND
GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (#13)**

This matter is before the Court on the parties' Cross-Motions for Summary Judgment as to Plaintiff Rae Ann Johnson's claim for judicial review of Defendant Commissioner of Social Security's denial of her application for disability insurance benefits. The matter was referred to Magistrate Judge R. Steven Whalen, who issued a Report and Recommendation on April 22, 2014, recommending that the Court deny Plaintiff's Motion for Summary Judgment and grant Defendant's Motion for Summary Judgment. Neither party has filed objections to the Magistrate Judge's Report and Recommendation, and the time for filing objections has expired. *See* 28 U.S.C. § 636(b)(1)(C). Upon review of the parties' briefing and the Magistrate Judge's Report and Recommendation, the Court concludes that the Magistrate Judge reached the correct conclusion. Therefore, the Court hereby ACCEPTS and ADOPTS Magistrate Judge Whalen's April 22, 2014 Report and

Recommendation [#14] as this Court's findings of fact and conclusions of law. Defendant's Motion for Summary Judgment [#13] is GRANTED. Plaintiff's Motion for Summary Judgment [#9] is DENIED.

SO ORDERED.

Dated: May 28, 2014

/s/ Gershwin A Drain

GERSHWIN A. DRAIN
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on May 28, 2014, by electronic and/or ordinary mail.

/s/ Tanya Bankston
Deputy Clerk