

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

ALTON ORVILLE BERRY,

Plaintiff,

v.

Case No. 16-10548

Hon. Gerald E. Rosen

Magistrate Judge Patricia T. Morris

COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

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

At a session of said Court, held in  
the U.S. Courthouse, Detroit, Michigan  
on January 6, 2017

PRESENT: Honorable Gerald E. Rosen  
United States District Judge

On December 8, 2016, Magistrate Judge Patricia T. Morris issued a Report and Recommendation (“R & R”) recommending that the Court deny Plaintiff Alton Orville Berry’s motion for summary judgment and grant the Defendant Commissioner of Social Security’s motion for summary judgment. No objections have been filed to the R & R. Upon reviewing the R & R, the parties’ underlying cross-motions for summary judgment, and the record as a whole, the Court concurs in the thorough analysis of the Magistrate Judge, and adopts the R & R in

its entirety.

Accordingly,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's December 8, 2016 Report and Recommendation (docket #16) is ADOPTED as the opinion of this Court. IT IS FURTHER ORDERED, for the reasons stated in the R & R, that Plaintiff's May 23, 2016 motion for summary judgment (docket #13) is DENIED, and that Defendant's June 1, 2016 motion for summary judgment (docket #14) is GRANTED.

s/Gerald E. Rosen  
United States District Judge

Dated: January 6, 2017

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 6, 2017, by electronic and/or ordinary mail.

s/Julie Owens  
Case Manager, (313) 234-5135