

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SCOTT R. WOLFE,

Plaintiff,

v.

Case No.: 16-cv-13620
Honorable Gershwin A. Drain

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

**ORDER ACCEPTING AND ADOPTING REPORT AND
RECOMMENDATION [#19], DENYING PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT [#13], GRANTING DEFENDANT'S MOTION
FOR SUMMARY JUDGMENT [#18] AND DISMISSING ACTION**

This matter is before the court on the parties' Cross-Motions for Summary Judgment as to Plaintiff Scott R. Wolfe's claim for judicial review of Defendant Commissioner of Social Security's denial of his application for disability insurance benefits and supplemental security income. The matter was referred to Magistrate Judge R. Steven Whalen, who issued a Report and Recommendation on November 26, 2017, 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 November 26, 2017 Report and Recommendation [#19] as this Court's findings of fact and conclusions of law. Plaintiff's Motion for Summary Judgment [#13] is DENIED. Defendant's Motion for Summary Judgment [#18] is GRANTED.

This cause of action is dismissed.

SO ORDERED.

Dated: December 28, 2017

/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 December 28, 2017, by electronic and/or ordinary mail.

/s/ Teresa McGovern for Tanya Bankston
Case Manager