

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

SHAWN L. SCOTT,

Plaintiff,

Case No. 18-cv-10261

v.

UNITED STATES DISTRICT COURT JUDGE  
GERSHWIN A. DRAIN

COMMISSIONER OF SOCIAL  
SECURITY,

UNITED STATES MAGISTRATE JUDGE  
DAVID R. GRAND

Defendant.

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**ORDER ACCEPTING AND ADOPTING REPORT AND  
RECOMMENDATION [#17], GRANTING DEFENDANT’S MOTION FOR  
SUMMARY JUDGMENT [#16], AND DENYING PLAINTIFF’S MOTION  
FOR SUMMARY JUDGMENT [#13]**

This matter is before the Court on Plaintiff’s and Defendant’s cross-motions for summary judgment. Dkt. No. 13; Dkt. No. 16. The Court referred this matter to Magistrate Judge David R. Grand, who issued a Report and Recommendation on November 5, 2018, recommending that the Court grant Defendant’s Motion for Summary Judgment and deny Plaintiff’s Motion for Summary Judgment. Dkt. No. 17. Neither party has filed an objection 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) (“Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations

as provided by the rules of the court.”). Upon review of the parties’ briefs and the Magistrate Judge’s Report and Recommendation, the Court concludes that the Magistrate reached the correct conclusion.

Accordingly, the Court ACCEPTS and ADOPTS Magistrate Judge Grand’s November 5, 2018 Report and Recommendation [#17] as this Court’s findings of fact and conclusions of law. Defendant’s Motion for Summary Judgment [#16] is hereby GRANTED and Plaintiff’s Motion for Summary Judgment [#13] is DENIED.

IT IS SO ORDERED.

Dated: November 26, 2018

s/Gershwin A. Drain  
HON. GERSHWIN A. DRAIN  
United States District Court Judge

#### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, November 26, 2018, by electronic and/or ordinary mail.

s/Teresa McGovern  
Case Manager