

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Joseph Masanz,

Civil No. 09-1145 (JNE/SER)

Plaintiff,

v.

ORDER

**Michael J. Astrue, Commissioner
of Social Security,**

Defendant.

Jennifer G. Mrozik, Attorney at Law, 1781 West City Road B, Roseville, Minnesota 55113, for Plaintiff.

Lonnie F. Bryan, Office of the United States Attorney, 300 South Fourth Street, Suite 600, Minneapolis, Minnesota 55415, for Defendant.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Steven E. Rau. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that Plaintiff’s Motion for Summary Judgment (Doc. No. 12) is **DENIED**; and Defendant’s Motion for Summary Judgment (Doc. No. 15) is **GRANTED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: 2-10, 2011.

s/ Joan N. Ericksen
Judge Joan N. Ericksen
United States District Court Judge