

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Jason Joseph Slavicek,

Plaintiff,

v.

Civil No. 09-2432 (JNE/FLN)  
ORDERMichael J. Astrue,  
Commissioner of Social Security,

Defendant.

In a Report and Recommendation dated December 1, 2010, the Honorable Franklin L. Noel, United States Magistrate Judge, recommended that Plaintiff's Motion for Summary Judgment be denied, that Defendant's Motion for Summary Judgment be granted, and that the case be dismissed with prejudice. Plaintiff objected to the Report and Recommendation. Defendant maintains that it should be adopted. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation [Docket No. 24]. Therefore, IT IS ORDERED THAT:

1. Plaintiff's Motion for Summary Judgment [Docket No. 11] is DENIED.
2. Defendant's Motion for Summary Judgment [Docket No. 19] is GRANTED.
3. The case is DISMISSED WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 23, 2010

s/ Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Judge