

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

BRIAN DISNEY,

Plaintiff,

vs.

MICHAEL ASTRUE, Commissioner of  
the Social Security Administration,

Defendant.

Case No. 4:08CV01565 ERW

**MEMORANDUM AND ORDER**

This matter comes before the Court on the Report and Recommendation of United States Magistrate Judge Audrey G. Fleissig [doc. #17], pursuant to 29 U.S.C. § 636(b).

The Court notes that no objections were filed to the Report and Recommendation within the time period afforded by 28 U.S.C. § 636(b)(1). The Court has considered the Report and Recommendation and hereby sustains, adopts, and incorporates herein the Magistrate's Report and Recommendation in its entirety. The Social Security Commissioner's decision denying Plaintiff's claims for benefits is affirmed.

Accordingly,

**IT IS HEREBY ORDERED** that under sentence four of 42 U.S.C. § 405(g), the final decision of the Commissioner of Social Security denying Plaintiff Brian Disney disability benefits is **AFFIRMED**, and the Plaintiff's Complaint is dismissed **with prejudice**.

Dated this 11th Day of March, 2010.



E. RICHARD WEBBER  
UNITED STATES DISTRICT JUDGE