

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

ZACHARY CARLSON,

Plaintiff,

v.

CAROLYN COLVIN,<sup>1</sup> Acting  
Commissioner of Social Security,

Defendant.

Case No. 4:12CV02007 AGF/TCM

**MEMORANDUM AND ORDER**

Currently before the Court is the Report and Recommendation (R&R) of United States Magistrate Judge Thomas C. Mummert, to whom this matter was referred for recommended disposition pursuant to 28 U.S.C. § 636(b). Magistrate Judge Mummert filed his R&R on January 21, 2014, recommending that the Court affirm the decision of the Administrative Law Judge (ALJ) to deny Plaintiff Zachary Carlson's request for disability insurance benefits under Title II of the Social Security Act, 42 U.S.C. § 401-433, and supplemental security income under Title XVI of the Social Security Act, 42 U.S.C. § 1381-1383b, and dismiss this action.

Neither party has filed objections to the R&R and the time to do so has expired.

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<sup>1</sup> Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin is substituted for Michael J. Astrue as the Defendant in this suit. No further action needs to be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

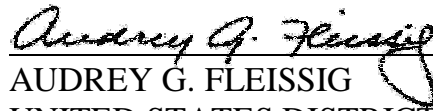
Upon careful consideration of the R&R and the record in this case, the Court sustains and adopts the R&R, and concurs with the recommendation of the Magistrate Judge that the ALJ's decision should be affirmed.

Accordingly,

**IT IS HEREBY ORDERED** that the Report and Recommendation of the United States Magistrate Judge is **SUSTAINED, ADOPTED, and INCORPORATED** herein.  
(Doc. No. 23.)

**IT IS FURTHER ORDERED** that the decision of the Commissioner denying Plaintiff's application for disability insurance benefits under Title II of the Social Security Act and supplemental security income under Title XVI of the Social Security Act, is **AFFIRMED**.

A separate Judgment shall accompany this Memorandum and Order.

  
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AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE

Dated this 6<sup>th</sup> day of February, 2014.