

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

BRADLEY D. MUNGLE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 4:16 CV 311 RWS
	)	
NANCY A. BERRYHILL, <sup>1</sup>	)	
Acting Commissioner of Social Security,	)	
	)	
Defendant.	)	

**ORDER**

This matter is before me on a Report and Recommendation to affirm the decision of the Commissioner of Social Security to deny Plaintiff benefits under Titles II and XVI of the Social Security Act. I referred this matter to United States Magistrate Judge John M. Bodenhausen for a Report and Recommendation pursuant to 28 U.S.C. § 636(b). Judge Bodenhausen issued a Report and Recommendation on January 30, 2017 that recommended that the Commissioner's decision to deny benefits should be affirmed. Judge Bodenhausen found that the Administrative Law Judge's determination that Plaintiff was not entitled to benefits was supported by substantial evidence on the record as a whole and within the zone of choice.

Objections to Judge Bodenhausen's Report and Recommendation were due February 13, 2017. I granted Plaintiff's request for an extension of time to file objections, making objections due no later than February 24, 2017. As of today, neither party has filed any objections.

Accordingly,

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<sup>1</sup> Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Nancy A. Berryhill should be substituted for Acting Commissioner Carolyn W. Colvin 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).

**IT IS HEREBY ORDERED** that the Report and Recommendation of United States Magistrate Judge Bodenhausen is **SUSTAINED, ADOPTED, and INCORPORATED** herein.

The Commissioner of Social Security's decision to deny benefits to Plaintiff is affirmed.



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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 10th day of March, 2017.