

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

PETER H. MCDIVITT,)
)
Plaintiff,)
)
vs.)
)
COMMISSIONER OF SOCIAL SECURITY,)
)
Defendants.)
_____)

2:09-cv-02155-RCJ-PAL

ORDER

Before this Court is the Report and Recommendation (#2) of Magistrate Judge Peggy A. Leen, entered December 1, 2009.

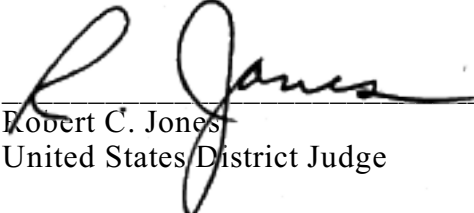
The Court has conducted a review of the record in this case and, upon finding that no objections have been filed, determines that the Report and Recommendations (#2) of the United States Magistrate Judge entered December 1, 2009 should be affirmed.

IT IS THEREFORE ORDERED that Magistrate Judge Leen’s Report and Recommendation (#2) be **AFFIRMED and ADOPTED**.

IT IS FURTHER ORDERED that Plaintiff’s Application to Proceed *In Forma Pauperis* (#1) is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff shall have 15 days from the entry of this order to pay the filing fee of \$350.00. Failure to pay the filing fee within the time set will result in a dismissal of this action.

DATED: January 6, 2010



Robert C. Jones
United States District Judge