

NOT FOR PUBLICATION

**CLOSED**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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FLORA RODRIGUEZ, o/b/o E.R., :  
 :  
 Plaintiff, :  
 :  
 v. :  
 :  
 MICHAEL J. ASTRUE, :  
 Commissioner of Social Security, :  
 :  
 Defendant. :  
 :

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Hon. Dennis M. Cavanaugh

**ORDER**

Civil Action No: 11-cv-2098(DMC)

DENNIS M. CAVANAUGH, U.S.D.J.:

This matter comes before the Court upon the appeal of Flora Rodriguez (“Plaintiff,” alternatively, “Appellant”), who filed an application for Social Security insurance benefits on behalf of her minor son, E.R. (“Claimant”), from the final decision of the Commissioner of Social Security (“Commissioner”), denying Plaintiff’s claims for a period of disability and disability insurance benefits under Title II and the application for supplemental security income under Title XVI of the Social Security Act (“Act”) and upon two decisions of ALJ Marilyn Faulkner and ALJ Dennis O’Leary after a First and Second Remand. No oral argument was heard pursuant to Rule 78 of the Federal Rules of Civil Procedure.

After examining all of the submissions by both parties and for the reasons stated in the Court’s Opinion issued on this day,

IT IS on this 30<sup>th</sup> day of April, 2012,

**ORDERED** that the Commissioner's decision is **affirmed**.

S/ Dennis M. Cavanaugh  
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Dennis M. Cavanaugh, U.S.D.J.

Orig.: Clerk  
cc: All Counsel of Record  
File