

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CARLEEN DOHERTY,

Plaintiff,

No. 07-CV-954
(S.J. Scullin)

v.

MICHAEL J. ASTRUE
COMMISSIONER OF SOCIAL SECURITY,

Defendant.

APPEARANCES:

OF COUNSEL:

Peter M. Margolius, Esq.
Attorney for Plaintiff
7 Howard Street
Catskill, New York 12414

Michael J. Astrue
Commissioner of Social Security
Attorney for Defendant
Office of Regional General Counsel
Region II
26 Federal Plaza - Room 3904
New York, New York 10278

Sandra M. Grossfeld

FREDERICK J. SCULLIN: S.D.J.

DECISION AND ORDER

The above-captioned matter having been presented to me by the Report-Recommendation of Magistrate Judge Victor E. Bianchini filed May 12, 2009, and the Court having reviewed the Report-Recommendation and the entire file in this matter, and no objections to said Report-

Recommendation having been filed, the Court hereby

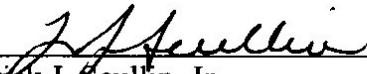
ORDERS that the Report-Recommendation of Magistrate Judge Victor E. Bianchini filed May 12, 2009 is, for the reasons stated therein, **ACCEPTED** in its entirety; and the Court further

ORDERS that plaintiff's motion for judgment on the pleadings is **DENIED** and the defendant's motion for judgment on the pleadings is **GRANTED**, and the Court further

ORDERS that the Clerk of the Court shall enter judgment in favor of the defendant and close this case.

IT IS SO ORDERED.

DATED: June 5, 2009
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge