

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JAMES A. RIVENBURG,

Plaintiff,

v.

1:09-CV-0755

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

APPEARANCES:

Office of Peter M. Margolius
7 Howard Street
Catskill, NY 12414
Counsel for Plaintiff

Social Security Administration
Office of Regional General Counsel
Region II
26 Federal Plaza - Room 3904
New York, NY 10278
Counsel for Defendant

OF COUNSEL:

Peter M. Margolius, Esq.

Vernon Norwood, Esq.

NORMAN A. MORDUE, CHIEF U. S. DISTRICT JUDGE

ORDER

W The above matter comes to me following a Report-Recommendation by Magistrate Judge Victor E. Bianchini, duly filed on the 12th day of October 2010. Following fourteen (14) days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

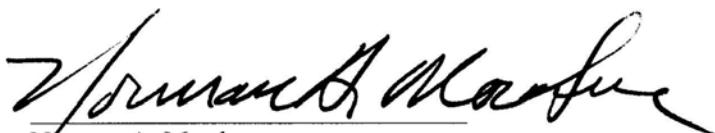
After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. Plaintiff's motion for judgment on the pleadings is denied.
3. The decision of the Commissioner is affirmed.
4. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.
5. The Clerk is directed to enter judgment.

IT IS SO ORDERED.

Dated: October 27, 2010
Syracuse, New York



Norman A. Mordue
Chief United States District Court Judge

v

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