

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

MARTIN P. DILLON

Plaintiff,

**1:14-cv-1011
(GLS/DJS)**

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

Office of Peter M. Margolius
7 Howard Street
Catskill, New York 12414

PETER M. MARGOLIUS, ESQ.

FOR THE DEFENDANT:

HON. RICHARD S. HARTUNIAN
United States Attorney
100 South Clinton Street
Syracuse, NY 13261

JEREMY A. LINDEN
Special Assistant U.S. Attorney

Steven P. Conte
Regional Chief Counsel
Social Security Administration
Office of General Counsel, Region II
26 Federal Plaza, Room 3904
New York, NY 10278

**Gary L. Sharpe
District Judge**

ORDER

The above-captioned matter comes to this court following a Report and Recommendation by Magistrate Judge Daniel J. Stewart, duly filed on October 21, 2015. (Dkt. No. 17.) Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Report and Recommendation for clear error, it is hereby

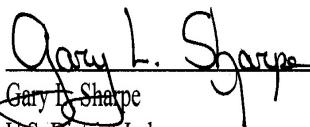
ORDERED that the Report and Recommendation (Dkt. No. 17) is **ADOPTED** in its entirety; and it is further

ORDERED that the decision of the Commissioner is AFFIRMED and Dillon's complaint, (Dkt. No. 1), is DISMISSED; and it is further

ORDERED that the clerk of the court serve a copy of this order upon the parties in accordance with this court's local rules.

IT IS SO ORDERED.

November 18, 2015
Albany, New York



Gary L. Sharpe
U.S. District Judge