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UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

GROVER SWEETING,

Plaintiff,

-v- 12-CV-917 (DNH/CFH)

CAROLYN W. COLVIN,

Defendant.

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APPEARANCES: OF COUNSEL:

OLINSKY LAW GROUP Attorneys for Plaintiff 300 S. State Street 5th Floor, Suite 520 Syracuse, NY 13202 HOWARD D. OLINSKY, ESQ. MICHAEL J. TELFER, ESQ.

OFFICE OF GENERAL COUNSEL Social Security Administration Region II Attorneys for Defendant 26 Federal Plaza, Room 3904 New York, NY 10278 TOMASINA DIGRIGOLI, ESQ.

DAVID N. HURD United States District Judge

## **DECISION and ORDER**

Plaintiff Grover Sweeting filed this action seeking judicial review of a final decision of the Commissioner of Social Security denying his application for benefits under the Social Security Act. By Report-Recommendation dated August 6, 2013, the Honorable Christian F. Hummel, United States Magistrate Judge, recommended that the Commissioner's decision be affirmed. Plaintiff filed timely objections to the Report-Recommendation.

Based upon a de novo determination of the portions of the Report-Recommendation to which plaintiff objected, the Report-Recommendation is accepted and adopted in all respects. See 28 U.S.C. § 636(b)(1).

Accordingly, it is

## **ORDERED** that

- 1. The Commissioner's decision is AFFIRMED; and
- 2. Plaintiff's complaint is DISMISSED in its entirety.

The Clerk is directed to file a judgment accordingly.

IT IS SO ORDERED.

United States District Judge

Dated: October 15, 2013

Utica, New York.