

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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KELLY ELIZABETH SCHWERDT,

Plaintiff,

-v-

5:14-CV-0895  
(DNH/CFH)

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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APPEARANCES:

Law Offices of Steven R. Dolson  
Attorney for Plaintiff  
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Syracuse, New York 13202

Hon. Richard S. Hartunian  
United States Attorney for the  
Northern District of New York  
Attorney for Defendant  
100 South Clinton Street  
Syracuse, New York 13261-7198

DAVID N. HURD  
United States District Judge

OF COUNSEL:

STEVEN R. DOLSON, ESQ.

KAREN T. CALLAHAN, ESQ.  
Special Assistant U.S. Attorney

**DECISION and ORDER**

Plaintiff Kelly Elizabeth Schwerdt filed this action seeking judicial review of a final decision of the Commissioner of Social Security denying her application for disability benefits and supplemental security income under the Social Security Act. By Report-Recommendation dated September 4, 2015, the Honorable Christian F. Hummel, United

States Magistrate Judge, recommended that the Commissioner's decision finding no disability be affirmed. Plaintiff filed timely objections to the Report-Recommendation.

Based upon a de novo determination of the portion of the Report-Recommendation to which plaintiff objected, the Report-Recommendation is accepted and adopted in all respects.

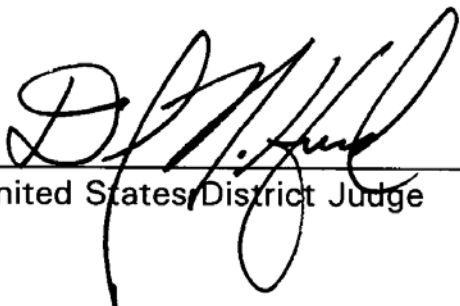
See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

- (1) the Commissioner's decision is **AFFIRMED**;
- (2) defendant's motion for judgment on the pleadings is **GRANTED**; and
- (3) the complaint is **DISMISSED**.

The Clerk of the Court shall enter judgment and close the case.



United States District Judge

Dated: September 30, 2015  
Utica, New York