

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

MICHAEL D. HATFIELD,

Plaintiff,

5:16-CV-0054
(GTS/WBC)

v.

CAROLYN W. COLVIN,
Commissioner of Social Security,

Defendant.

APPEARANCES:

OF COUNSEL:

MICHAEL D. HATFIELD
Plaintiff, *Pro Se*
P.O. Box 172
Hannibal, New York 13074

SOCIAL SECURITY ADMINISTRATION
OFFICE OF REG'L GEN. COUNSEL—REGION II
Counsel for Defendant
26 Federal Plaza, Room 3904
New York, New York 10278

KATHRYN S. POLLACK, ESQ.
Special Assistant U.S. Attorney

GLENN T. SUDDABY, Chief United States District Judge

DECISION and ORDER

Currently before the Court, in this action filed by Michael D. Hatfield (“Plaintiff”) against the Commissioner of Social Security (“Defendant” or “Commissioner”) pursuant to 42 U.S.C. § 405(g) seeking Social Security benefits, is the Report-Recommendation of United States Magistrate Judge William B. Mitchell Carter recommending that Defendant’s motion for judgment on the pleadings be granted, that the Commissioner’s decision be affirmed, and that Plaintiff’s Complaint be dismissed. (Dkt. No. 31.) Objections to the Report-Recommendation have not been filed, and the time in which to do so has expired. (*See generally* Docket Sheet.)

After carefully reviewing all of the papers herein, including Magistrate Judge Carter's thorough Report-Recommendation, the Court can find no clear error in the Report-Recommendation.¹ (Dkt. No. 31.) As a result, the Report-Recommendation is accepted and adopted in its entirety; Defendant's motion for judgment on the pleadings is granted; the Commissioner's decision is affirmed; and Plaintiff's Complaint is dismissed.

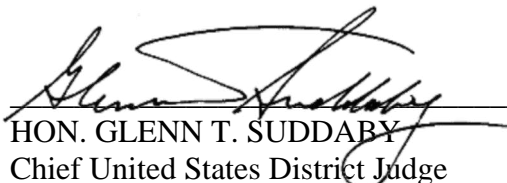
ACCORDINGLY, it is

ORDERED that Magistrate Judge Carter's Report-Recommendation (Dkt. No. 31) is **ACCEPTED** and **ADOPTED** in its entirety; and it is further

ORDERED that Defendant's motion for judgment on the pleadings (Dkt. No. 24) is **GRANTED**; and it is further

ORDERED that the Commissioner's decision denying Plaintiff benefits is **AFFIRMED**, and Plaintiff's Complaint (Dkt. No. 1) is **DISMISSED**.

Dated: March 28, 2017
Syracuse, New York


HON. GLENN T. SUDDABY
Chief United States District Judge

¹ When no objection is made to a report-recommendation, the Court subjects that report-recommendation to only a clear-error review. Fed. R. Civ. P. 72(b), Advisory Committee Notes: 1983 Addition. When performing such a clear-error review, "the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." *Id.*; see also *Batista v. Walker*, 94-CV-2826, 1995 WL 453299, at *1 (S.D.N.Y. July 31, 1995) (Sotomayor, J.) ("I am permitted to adopt those sections of [a magistrate judge's] report to which no specific objection is made, so long as those sections are not facially erroneous.") (internal quotation marks omitted).