

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

JAYSON ACKERNECHT,

Plaintiff,

-vs-

6:12-CV-00601

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**Thomas J. McAvoy,
United States District Judge**

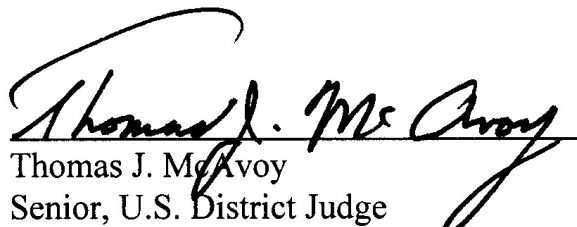
DECISION and ORDER

This matter was referred to the Hon. Therese Wiley Dancks, United States Magistrate Judge, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b) and Rule 72.3(d) of the Local Rules of the Northern District of New York. No objections to the September 13, 2013 Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation and Order for the reasons stated therein.

Accordingly, Defendant's motion for judgment on the pleadings is GRANTED, Plaintiff's motion for judgment on the pleadings is DENIED, and this matter is DISMISSED in accordance with the Magistrate Judge's Report and Recommendation..

IT IS SO ORDERED.

Dated: September 30, 2013


Thomas J. McAvoy
Senior, U.S. District Judge