

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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CHRISTOPHER STOUT,

Plaintiff,

-v-

6:15-CV-0160  
(DNH/DJS)

COMMISSIONER OF SOCIAL SECURITY,

Defendants.

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APPEARANCES:

OF COUNSEL:

CHRISTOPHER STOUT  
Plaintiff, pro se, #447011  
CNY Psychiatric Center  
Ward 404  
P.O. Box 300  
Marcy, New York 13404

Social Security Administration  
Attorney for Defendant  
Office of Regional General Counsel  
Region II  
26 Federal Plaza - Room 3904  
New York, NY 10278

FERGUS J. KAISER, ESQ.  
Special Asst. U.S. Attorney

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Plaintiff Christopher Stout filed this action seeking payment in the amount of \$2,050.00 from the Social Security Administration for underpayment of monies that allegedly pre-dated his incarceration. By Report-Recommendation dated April 19, 2016, the Honorable Daniel J. Stewart, United States Magistrate Judge, recommended that defendant's motion to dismiss be

granted and that plaintiff's complaint be dismissed. No objections to the Report-Recommendation have been filed.

Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is ORDERED that:

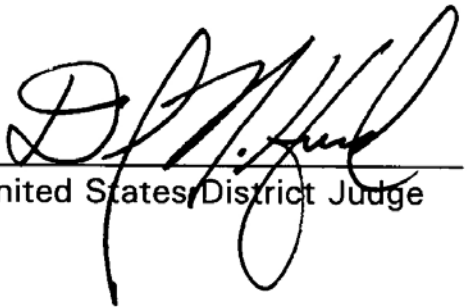
(1) Defendant's motion to dismiss (ECF No. 29) is **GRANTED**;

(2) Plaintiff's complaint is **DISMISSED** for lack of subject matter jurisdiction in accordance with Federal Rule of Civil Procedure 12(b)(1); and

(3) The Clerk serve a copy of this Decision and Order upon plaintiff in accordance with the Local Rules.

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

IT IS SO ORDERED.



United States District Judge

Dated: July 12, 2016  
Utica, New York