

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

LISA MARTIN,

Plaintiff,

-v.-

Civil Action No.
8:07-cv-928 (GLS/GHL)

MICHAEL ASTRUE, Commissioner
of Social Security,

Defendant.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

OFFICE OF MARK A. SCHNEIDER
57 Court Street
Plattsburgh, New York 12901

MARK A. SCHNEIDER, ESQ.

FOR THE DEFENDANT:

HON. GLENN T. SUDDABY
United States Attorney for the
Norther District of New York
P.O. Box 7198
100 S. Clinton Street
Syracuse, New York 13261-7198

KAREN T. CALLAHAN
Special Assistant U.S. Attorney

GARY L. SHARPE,
U.S. DISTRICT JUDGE

ORDER

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge George H. Lowe, duly filed on December 27, 2007. Following ten days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

ORDERED, that the Report-Recommendation of Magistrate Judge George H. Lowe filed December 27, 2007 is ACCEPTED in its entirety for the reasons state therein, and it is further

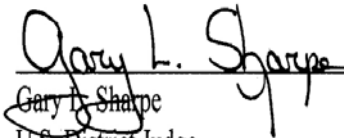
ORDERED, that the complaint is DISMISSED under Federal Rule of Civil Procedure 12(b)(1), and it is further

ORDERED, that the clerk enter judgment in favor of the defendant, and it is further

ORDERED, that the Clerk serve a copy of this order on all parties by regular mail.

IT IS SO ORDERED

Dated: February 4, 2008
Albany, New York



Gary L. Sharpe
U.S. District Judge