

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JOSHUA D. HULTS,

Plaintiff,

-v-

8:14-CV-535
(DNH/TWD)

CAROLYN W. COLVIN, Commissioner of
Social Security,

Defendant.

APPEARANCES:

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SOCIAL SECURITY ADMINISTRATION
Attorneys for Defendant
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DAVID N. HURD
United States District Judge

OF COUNSEL:

STEPHEN J. MASTAITIS, JR., ESQ.

MARIA P. FRAGASSI SANTANGELO,
ESQ.
Special Ass't U.S. Attorney

DECISION and ORDER

Plaintiff Joshua D. Hults filed this action seeking judicial review of a final decision of the Commissioner of Social Security denying his claims for benefits under Title II and XVI of the Social Security Act. By Report-Recommendation dated September 9, 2016, the Honorable Thérèse Wiley Dancks, United States Magistrate Judge, recommended that

defendant's motion to dismiss for lack of subject matter jurisdiction be granted and that the 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

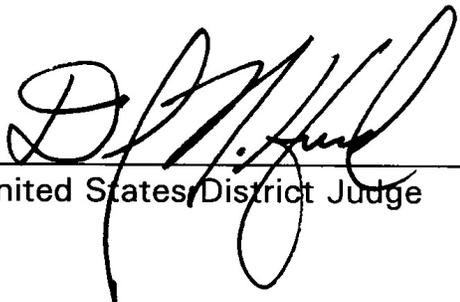
1. Defendant's motion to dismiss for lack of subject matter jurisdiction is GRANTED;

and

2. Plaintiff's complaint is DISMISSED.

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

IT IS SO ORDERED.



United States District Judge

Dated: April 17, 2017
Utica, New York.