

No objections to this Report or Recommendation have been filed, so I review it in clear mind.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

I find ~~none~~ none. The Rule is adopted as the decision of the Court. The Clerk of Court is respectfully directed to terminate the pending motion, 13 Civ. 1673 (CS)(LMS) (Doc. 16) and close the case.

Rhoda Payne,

Plaintiff,

- against -

Commissioner of Social Security,

Defendant.

**REPORT AND
RECOMMENDATION**

So Ordered.

Cathy Seibel
Cathy Seibel, U.S.D.J.

Dated: 1/10/14

TO: THE HONORABLE CATHY SEIBEL, U.S.D.J.¹

Plaintiff Rhoda Payne, proceeding pro se, brings this action pursuant to 42 U.S.C. §§ 405(g), 1383(c)(3) seeking judicial review of a final decision by defendant Commissioner of Social Security (hereinafter "defendant" or "the Commissioner"), which found that plaintiff was not entitled to a Period of Disability, Disability Insurance Benefits, or Supplemental Security Income (hereinafter "SSI") under the Social Security Act (hereinafter "the Act"). Docket Entry #2, Complaint at ¶¶ 1, 7. Currently pending before the Court is defendant's motion for judgment on the pleadings pursuant to Rule 12(c) of the Federal Rules of Civil Procedure. Docket Entry #16, Defendant's Motion; Docket Entry #17, Mem. of Law. Plaintiff has filed no opposition to the motion. For the reasons that follow, I conclude, and respectfully recommend that Your Honor should conclude, that defendant's motion for judgment on the pleadings should be granted.

¹ On March 22, 2013, Judge Seibel, the District Judge to whom this matter is assigned, referred this application to me for preparation of a Report and Recommendation. Docket Entry #8, Order of Reference.

USDC SDNY
DOCUMENT
DATE 1-10-2014