

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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MARK E. TOMPKINS,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting  
Commissioner of the  
Social Security Administration,

Defendant.

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**ORDER**

13-CV-911

On March 24, 2014, United States District Judge Richard J. Arcara referred this case to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(B). See Docket Item 12. The case was transferred from Judge Arcara to the undersigned on November 23, 2015. See Docket Item 24.

On December 23, 2015, Magistrate Judge Scott filed a Report and Recommendation, which recommended that the defendant's motion for judgment on the pleadings (Docket Item 20) be granted and the plaintiff's motion for judgment on the pleadings (Docket Item 14) be denied. See Docket Item 25 at 15.

This Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties. No objections have been timely filed. Therefore, it is hereby

ORDERED that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons explained in Magistrate Judge Scott's careful and detailed Report and Recommendation, the

defendant's motion for judgment on the pleadings is granted, the plaintiff's motion for judgment on the pleadings is denied, and the complaint is dismissed.

The Clerk of Court shall take all steps necessary to close the case.

IT IS SO ORDERED.

Dated: February 29, 2016  
Buffalo, New York

**s/ Lawrence J. Vilaro**  
LAWRENCE J. VILARDO  
UNITED STATES DISTRICT JUDGE