

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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JORGE L. MENDEZ RIVERA,

Plaintiff,

v.

DECISION AND ORDER  
15-CV-166A

CAROLYN W. COLVIN,  
ACTING COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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The above-referenced case was referred to Magistrate Judge Jeremiah J. McCarthy, pursuant to 28 U.S.C. § 636(b)(1)(B). On December 30, 2016, Magistrate Judge McCarthy filed a Report and Recommendation (Dkt. No. 13), recommending that the Acting Commissioner's motion for judgment on the pleadings (Dkt. No. 11) be granted, and that plaintiff's motion for similar relief in his favor (Dkt. No. 7) be denied.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge McCarthy's Report and Recommendation, the Acting Commissioner's motion for judgment on the pleadings is granted, and the plaintiff's motion for similar relief in his favor is denied

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

IT IS SO ORDERED.

*Richard J. Arcara*

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HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT COURT

Dated: February 2, 2017