

IN THE UNITED STATES DISTRICT COURT
 FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DENISE GADDY MCCLENDON,)	
)	
Plaintiff,)	
)	ORDER
v.)	
)	1:14CV498
CAROLYN W. COLVIN,)	
Commissioner of Social Security,)	
)	
Defendant.)	

On November 23, 2015, in accordance with 28 U.S.C. § 636(b), the Recommendation of the United States Magistrate Judge was filed and served on the parties in this action, and a copy was given to the court.

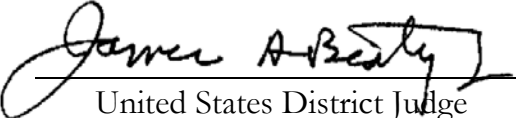
Within the time limitation set forth in the statute, Plaintiff objected to the Recommendation.

The court has made a de novo determination which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Defendant's motion for judgment on the pleadings (Docket Entry 22) is **GRANTED**. **IT IS FURTHER ORDERED** that to the extent Plaintiff's response (Docket Entry 17) is construed as a motion to dismiss, this motion is **DENIED**. **IT IS FURTHER ORDERED** that Defendant's motion to dismiss for failure to prosecute (Docket Entry 13) is **DENIED** as moot. A Judgment

dismissing this action will be entered contemporaneously with
this Order.

This, the 5th day of January, 2016.


United States District Judge