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

MICHAEL J. THOMAS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	1:17CV386
	)	
NANCY A. BERRYHILL, Acting Commissioner of Social Security,	)	
	)	
	)	
Defendant.	)	

ORDER

This matter is before this court for review of the Memorandum Opinion and Recommendation ("Recommendation") filed on June 14, 2018, by the Magistrate Judge in accordance with 28 U.S.C. § 636(b). (Doc. 14.) In the Recommendation, the Magistrate Judge recommends that Plaintiff's Motion for Judgment on the Administrative Record and Pleadings (Doc. 11) be denied, that Defendant's Motion for Judgment on the Pleadings (Doc. 12) be granted, and that this action be dismissed with prejudice. The Recommendation was served on the parties to this action on June 14, 2018. (Doc. 15.) Counsel for Plaintiff filed timely objections (Doc. 16) to the Recommendation.

This court is required to "make a de novo determination of those portions of the [Magistrate Judge's] report or specified

proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1). This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the [M]agistrate [J]udge. . . . [O]r recommit the matter to the [M]agistrate [J]udge with instructions." Id.

This court has appropriately reviewed the portions of the Recommendation to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's Recommendation. This court therefore adopts the Recommendation.

IT IS THEREFORE ORDERED that the Magistrate Judge's Recommendation (Doc. 14) is **ADOPTED. IT IS FURTHER ORDERED** that Plaintiff's Motion for Judgment on the Administrative Record and Pleadings (Doc. 11) is **DENIED**, that Defendant's Motion for Judgment on the Pleadings (Doc. 12) is **GRANTED**, that the Commissioner's decision is **AFFIRMED**, and that this action is dismissed with prejudice.

A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 18th day of July, 2018.

William L. Osteen, Jr.
United States District Judge