

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

EDDIE I. BYERS,)	
)	
Plaintiff,)	
)	
v.)	No. CIV-13-463-FHS-KEW
)	
CAROLYN W, COLVIN ¹ ,)	
Acting Commissioner Social)	
Security Administration,)	
)	
Defendant.)	

ORDER

On March 16, 2015, the United States Magistrate Judge for this District filed an Report and Recommendation in this case. No objection was filed. As such, the Report and Recommendation is deemed confessed.

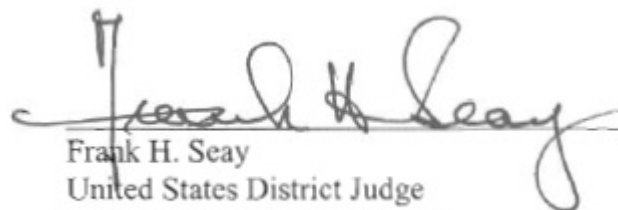
The Report and Recommendation found the decision by the defendant should be **AFFIRMED**. This Court finds the Report and Recommendation of the Magistrate Judge applied the proper standards and documents numerous references to the record which support the recommendation of the Magistrate Judge that the Commissioner's decision be **SUSTAINED**.

Upon consideration of the entire record and the issues herein, this Court finds and orders that the Report and

¹The Court has been informed by Defendant that on February 14, 2013, Carolyn W. Colvin became the Acting Commissioner of Social Security. Pursuant to Rule 25 (d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin is automatically substituted for Michael J. Astrue as the defendant in this action. Thus, this suit will proceed with this substitution in effect. See 42 U.S.C. Sec. 405 (g) ("Any action instituted in accordance with this subsection shall survive notwithstanding any change in the person occupying the office of Commissioner of Social Security or any vacancy in such office.")

Recommendation of the United States Magistrate Judge be **SUSTAINED**
and adopted by this Court as this Court's Findings and Order.

IT IS SO ORDERED this 31st day of March, 2015.



Frank H. Seay
United States District Judge
Eastern District of Oklahoma