

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

| | | |
|------------------------------|---|----------------|
| MALLORY WHITE, |) | |
| substitute party for |) | Civil Action |
| Debbie S. Jackson, Deceased, |) | No. 08-cv-5198 |
| |) | |
| Plaintiff |) | |
| |) | |
| vs. |) | |
| |) | |
| MICHAEL J. ASTRUE, |) | |
| Commissioner of |) | |
| Social Security, |) | |
| |) | |
| Defendant |) | |

O R D E R

NOW, this 14th day of November, 2009, upon consideration of Plaintiff's Motion for Summary Judgment filed April 3, 2009¹; upon consideration of Defendant's Response to Request for Review of Plaintiff, which response was filed May 14, 2009; upon consideration of the Report and Recommendation of United States Magistrate Judge Linda K. Caracappa filed July 30, 2009; upon consideration of plaintiff's Complaint, defendant's Answer and after a thorough review of the record in this matter; it appearing that as of the date of this Order, no objections to Magistrate Judge Caracappa's Report and Recommendation have been filed; it further appearing that Magistrate Judge Caracappa's

¹ Plaintiff styles her motion as a motion for summary judgment. Under previous administrative procedures for Social Security cases in this district, such cases were decided on cross-motions for summary judgment. For the parties' future reference, motions for summary judgment are no longer contemplated by the procedural practices of this district. (See Docket Entry No. 3, the Procedural Order for this case.) Therefore, I construe the motion as Plaintiff's Brief and Statement of Issues in Support of Request for Review, which is required by the Procedural Order.

Report and Recommendation correctly determined the legal issues presented in this case,

IT IS ORDERED that Magistrate Judge Caracappa's Report and Recommendation is approved and adopted.

IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment is denied.

IT IS FURTHER ORDERED that judgment is entered in favor of defendant and against plaintiff.

IT IS FURTHER ORDERED that the Clerk of Court shall mark this case closed for statistical purposes.

BY THE COURT:

/s/ James Knoll Gardner
James Knoll Gardner
United States District Judge