

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

COURTNEY SMALLWOOD, o/b/o
R.K.F., a minor child

Plaintiff,

v.

NANCY A. BERRYHILL,¹ Acting
Commissioner of Social Security

Defendant.

CIVIL ACTION
NO. 16-3669

ORDER

AND NOW, this 7th day of November, 2017, upon consideration of the brief and statement of issues in support of request for review by plaintiff Courtney Smallwood, o/b/o R.K.F., a minor child (ECF No. 13), defendant's response (ECF No. 14), plaintiff's reply (ECF No. 18), the Report and Recommendation of Magistrate Judge Thomas J. Rueter (ECF No. 19), plaintiff's objections to the Report and Recommendation (ECF No. 20), defendant's response to plaintiff's objections (ECF No. 22) and the administrative record (ECF No. 8) and for the reasons set forth in the accompanying Memorandum it is ORDERED that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Plaintiff's objections to the Report and Recommendation are **OVERRULED**;
3. Plaintiff's Request for Review is **DENIED**;
4. The decision of the Commissioner of Social Security is **AFFIRMED** and **JUDGMENT** is entered in favor of defendant Nancy A.

¹ Nancy A. Berryhill became the Acting Commissioner of Social Security on January 23, 2017. Pursuant to Federal Rule of Civil Procedure 25(d), Ms. Berryhill should be substituted for the former Acting Commissioner, Carolyn Colvin, as the defendant in this action. See FED. R. CIV. P. 25(d).

Berryhill, Acting Commissioner of Social Security, and against plaintiff Courtney Smallwood o/b/o R.K.F., a minor child; and

5. The Clerk of Court shall mark this case **CLOSED**.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.