

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

HARLAN J. FITZHERBERT,	:	
Plaintiff,	:	
	:	<b>CIVIL ACTION NO. 3:11-1310</b>
v.	:	
	:	(JUDGE NEALON)
MICHAEL J. ASTRUE,	:	
Commissioner of Social Security,	:	(MAGISTRATE JUDGE MANNION)
Defendant	:	

**ORDER**

NOW, this 8<sup>th</sup> day of November, 2012, in accordance with the Memorandum issued this date,

**IT IS HEREBY ORDERED THAT:**

1. Fitzherbert's objections (Doc. 16) to the Magistrate Judge's Report and Recommendation are **OVERRULED**.
2. The Magistrate Judge's Report and Recommendation (Doc. 15) is **ADOPTED**.
3. Fitzherbert's appeal of the Commissioner's decision is **DENIED**.
4. The Clerk of Court is directed to **CLOSE** this case.



United States District Judge

FILED  
SCRANTON

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DEPUTY CLERK