

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

| | | |
|------------------------|---|-----------------------------------|
| KRISTI KAE KIEFER, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil No. 12-1273 |
| |) | Judge Nora Barry Fischer |
| CAROLYN W. COLVIN, |) | Magistrate Judge Maureen P. Kelly |
| Acting Commissioner of |) | |
| Social Security, |) | |
| |) | |
| Defendant. |) | |

ORDER

AND NOW, this 26th day of July, 2013, after Plaintiff, Kristi Kae Kiefer, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties until July 25, 2013 to file written objections thereto, and no objections having been filed to the Report and Recommendation, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation (Document No. [13]), which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that Defendant's¹ Motion to Dismiss Plaintiff's Complaint, (Document No. [9]), is DENIED.

s/ Nora Barry Fischer
Nora Barry Fischer
United States District Judge

cc/ecf: Honorable Maureen P. Kelly
United States Magistrate Judge

All counsel of record

¹ Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin is substituted for Michael J. Astrue as the Defendant in this suit.