

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

<p><b>TIMOTHY ALLEN PARKER,</b></p> <p style="padding-left: 40px;">Plaintiff,</p> <p style="padding-left: 80px;">v.</p> <p><b>CAROLYN W. COLVIN,<sup>1</sup></b> Acting Commissioner of Social Security,</p> <p style="padding-left: 40px;">Defendant.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>2:13cv1222</p> <p><b>Electronic Filing</b></p>
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**ORDER OF COURT**

AND NOW, this 18<sup>th</sup> day of September, 2014, for the reasons set forth in [16] the Magistrate Judge's Report and Recommendation of August 29, 2014, IT IS ORDERED that [12] Plaintiff's Motion for Summary Judgment be, and the same hereby is denied, and [14] defendant's Motion for Summary Judgment be, and the same here is, granted. The decision of the Commissioner is affirmed and final judgment will be entered against plaintiff and in favor of defendant. The Magistrate Judge's Report and Recommendation is adopted as the opinion of the court.

s/David Stewart Cercone  
David Stewart Cercone  
United States District Judge

cc: Elizabeth A. Smith, Esquire  
Christy Wiegand, Esquire

*(Via CM/ECF Electronic Mail)*

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<sup>1</sup> Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013, succeeding former Commissioner Michael J. Astrue. Social Security History-Social Security Commissioners, <http://www.ssa.gov/history/commissioners.html> (as visited on August 13, 2013). Consequently, Acting Commissioner Colvin is now the official-capacity defendant in this action. *Hafer v. Melo*, 502 U.S. 21, 25, 112 S.Ct. 358, 116 L.Ed.2d 301 (1991); FED. R. CIV. P. 25(d).