

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

PAMELA S. WORMWOOD, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 MICHAEL J. ASTRUE, )  
 Commissioner of Social Security, )  
 )  
 Defendant. )

Case No. 1:08-cv-60  
Edgar

**MEMORANDUM AND ORDER**

Plaintiff Pamela S. Wormwood brings this action pursuant to 42 U.S.C. § 405(g) seeking judicial review of the final administrative decision of the Commissioner of Social Security denying her supplemental security income (SSI) benefits under Title XVI of the Social Security Act, 42 U.S.C. §§ 1381-1383f.

This case was referred to United States Magistrate Judge Susan K. Lee pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b) for a report and recommendation. Magistrate Judge Lee filed her report and recommendation on December 4, 2008. [Doc. No. 17].

The parties have not timely filed any objections. After reviewing the record, the Court **ACCEPTS and ADOPTS** the report and recommendation pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b).

Accordingly, the plaintiff’s motion for judgment on the pleadings [Doc. No. 11] is **DENIED**.

The defendant's motion for summary judgment [Doc. No. 15] is **GRANTED** pursuant to Fed. R. Civ. P. 56. The administrative decision of the Commissioner of Social Security is **AFFIRMED**. The plaintiff's complaint will be **DISMISSED WITH PREJUDICE** with each party to bear their own costs of this action.

The Clerk of Court is **DIRECTED** to enter a final judgment in accordance with this memorandum and order. The Clerk of Court shall close the record in this case.

SO ORDERED.

ENTER this the 8<sup>th</sup> day of January, 2009.

*/s/ R. Allan Edgar*

R. ALLAN EDGAR  
UNITED STATES DISTRICT JUDGE