

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at GREENEVILLE

KENNETH RAY DAVIS, *Pro Se*,)
)
Plaintiff,)
)
v.)
)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
)
Defendant.)

Case No. 2:08-cv-218

Judge Mattice

ORDER

United States Magistrate Judge William B. Mitchell Carter filed his report and recommendation pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b) on August 4, 2009 [Court Doc. 15]. Neither party filed objections within the given 10 days.

After reviewing the record, the Court agrees with Magistrate Judge Carter’s report and recommendation. The Court thus **ACCEPTS** and **ADOPTS** Magistrate Judge Carter’s findings of fact, conclusions of law, and recommendations pursuant to § 636(b)(1) and Rule 72(b).

Accordingly, the Court **ORDERS** that Defendant’s Motion for Summary Judgment [Court Doc. 11] is **DENIED AS MOOT**.

A separate judgment will enter.

SO ORDERED this 26th day of August, 2009.

/s/Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE