

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

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| AMANDA STEELE, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No.: 3:08-CV-108 |
| |) | (VARLAN/GUYTON) |
| MICHAEL J. ASTRUE, |) | |
| Commissioner of Social Security, |) | |
| |) | |
| Defendant. |) | |

ORDER

This Social Security appeal is before the Court on the Report and Recommendation filed by United States Magistrate Judge H. Bruce Guyton on February 27, 2009. [Doc. 18.] There have been no timely objections to the Report and Recommendation, and enough time has passed since the filing of the Report and Recommendation to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Magistrate Judge Guyton found that the Administrative Law Judge (“ALJ”) properly reviewed and weighed the evidence to determine Plaintiff is capable of performing her past relevant work as a factory press operator and newspaper carrier and that substantial evidence supports the ALJ’s findings and conclusions. Magistrate Judge Guyton recommended that Plaintiff’s motion for judgment on the pleadings [Docs. 11, 12] be denied and that defendant Commissioner’s motion for summary judgment [Docs. 15, 16] be granted.

The Court has carefully reviewed this matter, including the underlying pleadings [Docs. 11, 12, 15, 16]. The Court is in agreement with Magistrate Judge Guyton's recommendation which the Court adopts and incorporates into its ruling. Plaintiff's motion for judgment on the pleadings [Doc. 11] is **DENIED**, and defendant's motion for summary judgment [Doc. 15] is **GRANTED**. The Court **ACCEPTS IN WHOLE** the Report and Recommendation [Doc. 18], and this case is hereby **DISMISSED**.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE