

UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF TENNESSEE
 AT KNOXVILLE

JIMMY L. BALLEW, JR.,)	
)	
Plaintiff,)	
)	
v.)	No.: 3:10-CV-279
)	(VARLAN/SHIRLEY)
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

This Social Security appeal is before the Court on the Report and Recommendation entered by United States Magistrate Judge C. Clifford Shirley on July 8, 2011 [Doc. 20]. 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). In the Report and Recommendation, the magistrate judge recommends that plaintiff’s Motion for Judgment [Doc. 11] be denied and that the defendant Commission’s Motion for Summary Judgment [Doc. 18] be granted.

The Court has carefully reviewed this matter, including the underlying pleadings. The Court is in agreement with the magistrate judge’s recommendation, which the Court adopts and incorporates into its ruling. Accordingly, the Court **ACCEPTS IN WHOLE** the Report and Recommendation [Doc. 20]. Additionally, it is hereby **ORDERED** that plaintiff’s

Motion for Judgment [Doc. 11] is **DENIED** and that the defendant Commission's Motion for Summary Judgment [Doc. 18] is **GRANTED**. The defendant Commissioner's decision in this case denying plaintiff's applications for supplemental security income and disability insurance benefits is **AFFIRMED**. The case is **DISMISSED**, and the Clerk of Court is **DIRECTED** to close this case.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE