

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

RICHARD D. MARTER,  
Plaintiff,

v.

CAROLYN W. COLVIN,  
COMMISSIONER OF SOCIAL SECURITY,  
Defendant.

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No. 3:12-CV-175  
(Phillips/Guyton)

JUDGMENT ORDER

For the reasons stated in the memorandum opinion filed contemporaneously with this order, the report and recommendation of the magistrate judge [Doc. 23] is **ACCEPTED IN WHOLE** under 28 U.S.C. § 636(b)(1) and Fed.R.Civ.P. 72(b).

**IT IS ORDERED**, for the reasons stated in the report and recommendation, which the court adopts and incorporates into its ruling, that the plaintiff’s motion for summary judgment [Doc. 13] is **DENIED**; the defendant Commissioner’s motion for summary judgment [Doc. 17] is **GRANTED**; the defendant Commissioner’s decision in this case denying plaintiff’s application for benefits under the Social Security Act is **AFFIRMED**; and this case is **DISMISSED**.

**IT IS SO ORDERED.**

**ENTER:**

s/ Thomas W. Phillips  
United States District Judge