UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE at WINCHESTER

DEBORAH EVANS)
Plaintiff,)
V.) Case No. 4:08-cv-66
MICHAEL J. ASTRUE Commissioner of Social Security,)
Defendant.)) Judge Mattice))
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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). [Court Doc. 19.] 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 Lee's findings of fact, conclusions of law, and recommendations pursuant to § 636(b)(1) and Rule 72(b).

Accordingly, Plaintiff's Motion for Summary Judgment [Court Doc. 11] is **DENIED**.

Defendant's Motion for Summary Judgment [Court Doc. 15] is **GRANTED**. The

Commissioner's denial of benefits is **AFFIRMED** and the instant action is **DISMISSED**WITH **PREJUDICE**.

The Clerk shall close the case.

SO ORDERED this 15th day of January, 2010.

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