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**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF TEXAS**

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KENNETH D. CONNELLY,

Plaintiff,

*versus*

MICHAEL J. ASTRUE,  
 COMMISSIONER OF SOCIAL  
 SECURITY ADMINISTRATION,

Defendant.

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CIVIL ACTION NO. 1:09-CV-510

**MEMORANDUM OPINION OVERRULING PLAINTIFF’S OBJECTIONS  
 AND ADOPTING THE MAGISTRATE JUDGE’S  
 REPORT AND RECOMMENDATION**

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge submitted a report recommending that the decision of the Commissioner be affirmed.

Plaintiff filed timely objections to the magistrate judge’s Report and Recommendation. The court, therefore, must conduct a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b).

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the court concludes the objections are without merit.

**ORDER**

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 18th day of March, 2011.

*Marcia A. Crone*

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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE