



IN THE UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF TEXAS
 FORT WORTH DIVISION

DENNIS A. MITCHELL,
 Plaintiff,

VS.

MICHAEL J. ASTRUE,
 COMMISSIONER OF SOCIAL
 SECURITY,
 Defendant.

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NO. 4:07-CV-561-A

ORDER

Came on for consideration the above-captioned action wherein Dennis A. Mitchell is plaintiff and Michael J. Astrue, Commissioner of Social Security, is defendant. This is an action for judicial review of a final decision of the Commissioner denying plaintiff's claim for disability insurance benefits under Title II and supplemental security income under Title XVI of the Social Security Act. On September 12, 2008, the United States Magistrate Judge issued his proposed findings, conclusions, and recommendation and granted the parties until October 3, 2008, in which to file and serve objections. Because timely objections have not been filed, the court accepts the proposed findings, conclusions, and recommendation of the United States Magistrate Judge.

Therefore,

The court ORDERS that the decision of defendant that plaintiff was not entitled to supplemental security income or SSI benefits be, and is hereby, affirmed.

SIGNED October 8, 2008.



JOHN MCBRYDE
United States District Judge