



magistrate judge ordered that the case be treated as an appeal. After having considered the record and the briefs and pleadings of the parties, on August 14, 2013, the magistrate judge issued his proposed findings and conclusions and his recommendation that the decision of defendant denying benefits to plaintiff be affirmed.

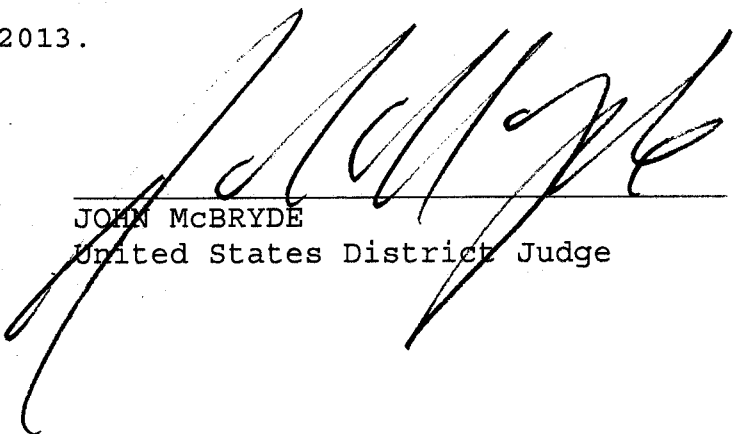
The magistrate judge granted the parties until August 28, 2013, to serve and file written objections to his proposed findings and conclusions and his recommendation. Neither party filed an objection. Nevertheless, the court has made an informed final determination. See Mathews v. Weber, 423 U.S. 261, 271 (1976). After having reviewed the filings of the parties, pertinent parts of the record, the magistrate judge's proposed findings and conclusions and his recommendation, and applicable legal authorities, the court has decided to accept the magistrate judge's recommendation and to adopt his proposed findings and conclusions. By this order, the court does so.

Therefore,

The court ORDERS that the decision of defendant that plaintiff is not entitled to a period of disability or disability insurance benefits under the Social Security Act, 42 U.S.C. §§ 416(i) and 423, respectively, and that he is not eligible for

supplemental security income under the Act, 42 U.S.C. §§ 1382 and 1382c, be, and is hereby, affirmed.

SIGNED September 13, 2013.



JOHN McBRYDE  
United States District Judge