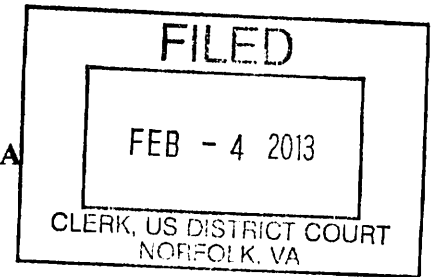


**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**



**DAWN E. SIMPSON,
Plaintiff,**

v.

Civil No. 2:12cv154

**MICHAEL J. ASTRUE,
Defendant.**

FINAL ORDER

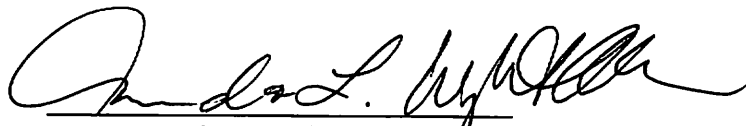
Plaintiff Dawn E. Simpson brought this action under 42 U.S.C. § 405(g) seeking judicial review of the final decision of Social Security Commissioner Michael J. Astrue denying her claim for disability insurance benefits (“DIB”) and Supplemental Security Income (“SSI”) pursuant to sections 205(g) and 1631(c)(3) of the Social Security Act. Pursuant to the provisions of 28 U.S.C. §§ 636(b)(1)(B), Rule 72(b) of the Federal Rules of Civil Procedure, Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia, and by order of reference dated May 29, 2012, this matter was referred to United States Magistrate Judge Tommy E. Miller for a Report and Recommendation. ECF No. 8.

In a Report and Recommendation (“R&R”) filed January 3, 2013, Judge Miller found that the Administrative Law Judge’s decision to deny Ms. Simpson’s claim was supported by substantial evidence. R&R 30, Jan. 3, 2013, ECF No. 21. Accordingly, Judge Miller recommended denying Ms. Simpson’s Motion for Summary Judgment, granting the Commissioner’s Motion for Summary Judgment, affirming the decision of the Commissioner, and entering judgment in favor of the Commissioner. *Id.* at 30–31.


By copy of the R&R, each party was advised of the right to file written objections to the findings and recommendations made by Judge Miller within fourteen days from the date the R&R was mailed, pursuant to Rule 6(a) of the Federal Rules of Civil Procedure. The time for filing written objections has passed, and neither party has filed objections. As indicated in the R&R, “failure to file timely objections to the findings and recommendations set forth [in the R&R] will result in waiver of right to appeal from a judgment of this court based on such findings and recommendations.” *Id.* at 31.

This Court has reviewed the R&R of Judge Miller and hereby **ADOPTS** and **APPROVES** in full the findings and recommendations set forth therein. Accordingly, it is hereby **ORDERED** that Ms. Simpson’s Motion for Summary Judgment (ECF No. 15) is **DENIED**, the Commissioner’s Motion for Summary Judgment (ECF No. 17) is **GRANTED**, the decision of the Commissioner is **AFFIRMED**, and judgment shall be entered in favor of the Commissioner.

IT IS SO ORDERED.



Arenda L. Wright Allen
United States District Judge


February ____, 2013
Norfolk, Virginia