

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

KAREN SUE SHESLER,

Plaintiff,

v.

CIVIL ACTION NO. 2:12cv565

**CAROLYN W. COLVIN,
ACTING COMMISSIONER OF
SOCIAL SECURITY ADMINISTRATION,**

Defendant.

ORDER


Before the Court is the Magistrate Judge's Report and Recommendation on Karen Sue Shesler's (Plaintiff) action for judicial review of the final decision of the Acting Commissioner of Social Security ("Defendant") denying Plaintiff's claim for disability insurance benefits ("DIB") and supplemental security income ("SIS"). On April 11, 2013, this matter was referred to a United States Magistrate Judge pursuant to the provisions of 28 U.S.C. Section 636(b)(1)(B) and (C), Rule 72(b) of the Federal Rules of Civil Procedure and Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia for a report and recommendation. On December 14, 2012, Defendant filed a Motion to Dismiss Plaintiff's Complaint. Ms. Shesler has not responded or objected to this Motion. On April 15, 2013, the Magistrate Judge filed his report recommending that the Commissioner's decision be **GRANTED**. By copy of the report, each party was advised of their right to file written objections to the findings and recommendations made by the Magistrate Judge. The Court has received no objections to the report and the time for filing the same has expired.

The Court does hereby accept the findings and recommendations set forth in the report of the United States Magistrate Judge filed April 15, 2013, and it is, therefore **ORDERED** that Defendant's Motion to Dismiss Plaintiff's Complaint is **GRANTED**. Accordingly, the decision of the Commissioner is **AFFIRMED** and Plaintiff's case is **DISMISSED** with prejudice.

The Clerk shall mail a copy of this final Order to counsel for both parties.

IT IS SO ORDERED.

Norfolk, Virginia
January 27, 2014



Raymond A. Jackson
United States District Judge