

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

ERIC MATTHEW GAUTREAU,

Plaintiff,

v.

ACTION NO. 2:15CV81

CAROLYN W. COLVIN,
Acting Commissioner of the Social
Security Administration,

Defendant.

FINAL ORDER

Plaintiff brought this action under 42 U.S.C. § 405(g), seeking judicial review of the decision of the Commissioner of the Social Security Administration ("Commissioner"), which denied the Plaintiff's claim for Disability Insurance Benefits ("DIB") under Title II of the Social Security Act.

On August 25, 2015, this matter was referred to a United States Magistrate Judge, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72(b) of the Federal Rules of Civil Procedure for report and recommendation. The Report of the magistrate judge was filed on February 26, 2016, recommending that the decision of the Commissioner be affirmed. By copy of the report, each party was advised of the right to file written objections to the findings and recommendations made by the magistrate judge. The court received Plaintiff's Objections to the Magistrate Judge's

Report and Recommendation on March 11, 2016, and Defendant's Response was filed March 24, 2016.

The court, having examined the objections to the Magistrate Judge's Report and having made de novo findings with respect to the portions objected to, does hereby adopt and approve the findings and recommendations set forth in the Report of the United States Magistrate Judge filed February 26, 2016. Accordingly, the Plaintiff's Motion for Summary Judgment (ECF No. 10) is **DENIED**; the Defendant's Motion for Summary Judgment (ECF No. 12) is **GRANTED**; and, the final decision of the Commissioner is **AFFIRMED**.

The parties may appeal from the judgment entered pursuant to this Final Order by filing a written notice of appeal with the Clerk of this court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510, within sixty (60) days from the date of entry of such judgment.

The Clerk shall forward a copy of this Final Order to counsel for the parties.

IT IS SO ORDERED.

/s/
Rebecca Beach Smith
RBS Chief Judge

REBECCA BEACH SMITH
CHIEF JUDGE

March 31, 2016