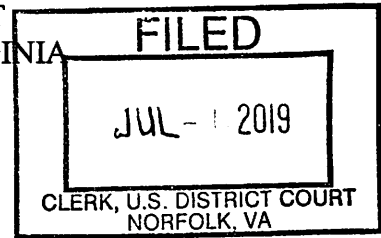


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division



WARDELL COWARD, III,
Plaintiff,

v.

NANCY A. BERRYHILL,
Acting Commissioner of the Social Security
Administration,
Defendant.

Civil No. 2:18cv302

FINAL ORDER

Plaintiff Wardell Coward, III (“Plaintiff”) brought this action under 42 U.S.C. § 405(g) seeking judicial review of the final decision of the Social Security Commissioner (“Commissioner”) selecting Mr. Coward’s ex-spouse to serve as representative payee for benefits payable to one of their minor children.

Pursuant to the provisions of 28 U.S.C. §§ 636(b)(1)(B) and (C), 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 September 17, 2018, this matter was referred to United States Magistrate Judge Krask for a Report and Recommendation.

In a Report and Recommendation filed May 2, 2019, the Magistrate Judge found that the decision by the Administrative Law Judge (“ALJ”) regarding the representative payee was supported by substantial evidence. ECF No. 16. Accordingly, the Magistrate Judge recommended granting the Commissioner’s Motion for Summary Judgment and denying Mr. Coward’s Motion for Summary Judgment. *Id.*

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 has received no objections to the Magistrate Judge's Report and Recommendation and the time for filing objections has now expired.


The Court, having reviewed the record, does hereby adopt and approve the findings and recommendations set forth in the Report and Recommendation. It is, therefore, **ORDERED** that the Commissioner's Motion for Summary Judgment, ECF No. 11, be **GRANTED** and Plaintiff's Motion for Summary Judgment, ECF No. 10, be **DENIED**.

The parties are **ADVISED** that an appeal from this Final Order may be commenced by forwarding a written notice of appeal to the Clerk of the United States District Court, United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510. This written notice must be received by the Clerk within sixty days from the date of this Final Order.

The Clerk is **REQUESTED** to mail a copy of this Order to all parties.

IT IS SO ORDERED.

July 1st, 2019
Norfolk Virginia



Arenda L. Wright Allen
United States District Judge