

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

ROSALYN G.,<sup>1</sup>

Plaintiff,

v.

CIVIL ACTION NO. 2:21cv275

KILOLO KIJAKAZI,<sup>2</sup>

Acting Commissioner of Social Security,

Defendant.

**FINAL ORDER**

This matter comes before the court on Plaintiff's Motion for Summary Judgment and Brief in Support. ECF Nos. 11, 12. Defendant, the Acting Commissioner of the Social Security Administration ("the Commissioner"), filed a Cross-Motion for Summary Judgment and Memorandum in Support. ECF Nos. 13, 14.

On September 29, 2021, this matter was referred to United States Magistrate Judge Douglas E. Miller, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b), to conduct necessary hearings, including

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<sup>1</sup> The Committee on Court Administration and Case Management of the Judicial Conference of the United States has recommended that, due to significant privacy concerns in social security cases, federal courts should refer to claimants only by their first names and last initials.

<sup>2</sup> Kilolo Kijakazi is the Acting Commissioner of Social Security and is automatically substituted as a party pursuant to Fed. R. Civ. P. 25(d). See also section 205(g) of the Social Security Act, 42 U.S.C. § 405(g) (action survives regardless of any change in the person occupying the office of Commissioner of Social Security).

evidentiary hearings, if necessary, and to submit to the undersigned district judge proposed findings of fact, if applicable, and recommendations for the disposition of the matter. ECF No. 9.


The United States Magistrate Judge's Report and Recommendation ("R&R") was filed on April 15, 2022. ECF No. 15. The R&R recommends that Plaintiff's Motion for Summary Judgment be denied, the Commissioner's Motion for Summary Judgment be granted, the decision of the Commissioner be affirmed, and the matter be dismissed with prejudice.

By copy of the R&R, the parties were advised of their right to file written objections to the findings and recommendations made by the Magistrate Judge within fourteen (14) days of the date of service of the R&R to the objecting party. See id. at 24-25. No objections were filed.

The court, having reviewed the record in its entirety, does hereby **ADOPT AND APPROVE IN FULL** the findings and recommendations set forth in the Magistrate Judge's thorough and well-reasoned R&R, filed on April 15, 2022. ECF No. 15. Accordingly, Plaintiff's Motion for Summary Judgment is **DENIED**, and the Commissioner's Motion for Summary Judgment is **GRANTED**. The decision of the Commissioner is **AFFIRMED**, and this matter is **DISMISSED WITH PREJUDICE**.

The Clerk shall enter judgment in favor of the Commissioner and close the case on this court's docket. The Clerk is **DIRECTED** to send a copy of this Final Order to counsel for all parties.

**IT IS SO ORDERED.**

*/s/*   
**Rebecca Beach Smith**  
**Senior United States District Judge**

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REBECCA BEACH SMITH  
SENIOR UNITED STATES DISTRICT JUDGE

May 2, 2022