

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

KATHLEEN P. SWINK,

pro se Plaintiff,

v.

**CAROLYN W. COLVIN,
Acting Commissioner of Social Security,**

Defendant.

CIVIL NO. 3:16cv102 (MHL)

FINAL ORDER

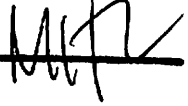
This matter is before the Court on the Report and Recommendation of the Magistrate Judge (R&R) entered on January 9, 2017 (ECF No. 27). The time to file objections has expired and neither party has objected to the R&R. Having considered the matter and deeming it otherwise proper and just to do so, it is hereby ORDERED:

- (1) The Report and Recommendation (ECF No. 27) is ADOPTED as the opinion of this Court.
- (2) Defendant’s Motion to Dismiss (ECF No. 15) is GRANTED.
- (3) Plaintiff’s Motion for Summary Judgment (ECF No. 12) Defendant’s Motion for Summary Judgment (ECF No. 16) are DENIED as MOOT.
- (4) Plaintiff’s Complaint (ECF No. 3) is DISMISSED WITHOUT PREJUDICE.
- (5) This case is CLOSED.

Let the Clerk of the Court send a copy of this Final Order to Plaintiff and all counsel of record.

It is so ORDERED.

Richmond, Virginia
Date: 1-25-17

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| <p>/s/ </p> <p>M. Hannah Lauck United States District Judge</p> |
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