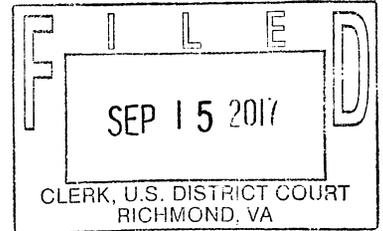


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



ROY NIPPER,

Plaintiff,

v.

Civil Action No. 3:16cv374

NANCY A. BERRYHILL,
Acting Commissioner of
Social Security,

Defendant.

ORDER

This matter is before the Court on the REPORT AND RECOMMENDATION of the Magistrate Judge entered on August 28, 2017 (Docket No. 17). Having reviewed the REPORT AND RECOMMENDATION, and there being no timely filed objections thereto, and the time for filing objections having expired, and having considered the record and the REPORT AND RECOMMENDATION and finding no error therein, it is hereby ORDERED that the REPORT AND RECOMMENDATION of the Magistrate Judge (Docket No. 17) is adopted on the basis of the reasoning of the REPORT AND RECOMMENDATION.

It is further ORDERED that:

(1) PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (Docket No. 13) is denied;

(2) PLAINTIFF'S MOTION TO REMAND (Docket No. 14) is

denied;

(3) DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (Docket No. 16) is granted;

(5) The decision of the Commissioner is affirmed; and

(6) The Clerk shall close this action.

The Clerk is directed to send a copy of this Order to Plaintiff and all counsel of record.

It is so ORDERED.

/s/ REP
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: September 14, 2017