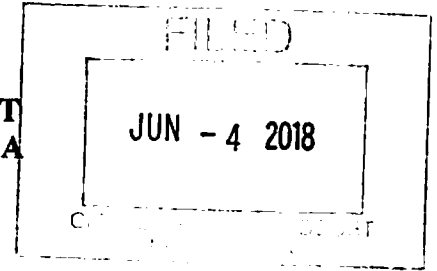


**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Newport News Division**



**CATHY AKERS,**

**Plaintiff,**

**v.**

**CIVIL ACTION NO. 4:17cv89**

**NANCY A. BERRYHILL,  
ACTING COMMISSIONER OF  
SOCIAL SECURITY,**

**Defendant.**

**ORDER**

Before the Court is the Magistrate Judge's Report and Recommendation on Cathy Akers's ("Plaintiff") action for judicial review of the final decision of the Commissioner of Social Security ("Defendant") denying Plaintiff's claim for disability and disability insurance benefits ("DIB"). On October 2, 2017, this matter was referred to a United States Magistrate Judge pursuant to the provisions of 28 U.S.C. Section 636(b)(1)(B) and (C), Rule 72(b) of the Federal Rules of Civil Procedure and Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia for a report and recommendation. On November 15, 2017, Plaintiff filed a Motion for Summary Judgment and accompanying memorandum. (ECF Nos. 11 & 12). On December 15, 2017, Defendant filed a Motion for Summary Judgment and accompanying memorandum. (ECF Nos. 13 & 14). On May 4, 2018, the Magistrate Judge filed his report recommending that Plaintiff's Motion for Summary Judgment be **DENIED**, that Defendant's Motion for Summary Judgment be **GRANTED**, and the Commissioner's final decision be **AFFIRMED**. By copy of the report, the parties were advised of their right to file written objections to the findings and


recommendations of the Magistrate Judge. The Court has received no objections to the report and the time for filing the same has expired.

The Court does hereby accept the findings and recommendations set forth in the report of the United States Magistrate Judge filed May 4, 2018, and it is, therefore **ORDERED** that Plaintiff's Motion for Summary Judgment is **DENIED** and Defendant's Motion for Summary Judgment is **GRANTED**. Accordingly, the final decision of the Commissioner is **AFFIRMED**.

The Clerk shall mail a copy of this final Order to counsel for both Parties.

**IT IS SO ORDERED.**

Norfolk, Virginia  
June / , 2018

  
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Raymond A. Jackson  
United States District Judge