

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

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|----------------------------------|---|-------------------------------------|
| SHARON S. SMITH, |) | |
| |) | |
| Plaintiff, |) | Case No.: 4:11-cv-00031 |
| |) | |
| v. |) | <u>ORDER</u> |
| |) | |
| MICHAEL ASTRUE, |) | By: Hon. Jackson L. Kiser |
| Commissioner of Social Security, |) | Senior United States District Judge |
| |) | |
| Defendant. |) | |

Before me is the Report and Recommendation (“R & R”) of Hon. B. Waugh Crigler recommending that I grant Defendant’s Motion for Summary Judgment [ECF No. 24], affirm the Commissioner’s final decision, and dismiss this case. Plaintiff filed timely Objections [ECF No. 25], and the Commissioner responded [ECF No. 26]. The Objections are now ripe for consideration. *See* FED. R. CIV. P. 72(b). I have reviewed the Magistrate Judge’s recommendation, Plaintiff’s Objections, the Commissioner’s response, and the relevant portions of the record. For the reasons stated in the accompanying Memorandum Opinion, I hereby **OVERRULE** Plaintiff’s Objections, **ADOPT** the R & R in its entirety, **GRANT** the Commissioner’s Motion for Summary Judgment, and **DISMISS** this case.

The Clerk is directed to forward a copy of this Order and the accompanying Memorandum Opinion to all counsel of record and to Magistrate Judge Crigler.

Entered this 5th day of November, 2012.

s/Jackson L. Kiser
SENIOR UNITED STATES DISTRICT JUDGE