

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION**

TOMMIE N. SMITH, JR.,

Plaintiff,

v.

NANCY A. BERRYHILL, Acting Commissioner  
of Social Security

Defendant.

CASE NO. 6:15-cv-00039

**ORDER**

In accordance with the accompanying memorandum opinion, Plaintiff's Objections (dkt. 21) are **OVERRULED**, the Magistrate Judge's R&R is **ADOPTED** in full (dkt. 20), the Commissioner's Motion for Summary Judgment (dkt. 16) is **GRANTED**, Plaintiff's Motion for Summary Judgment (dkt. 14) is **DENIED**, and this case is **DISMISSED** from the active docket of the Court.

Entered this 23rd day of March, 2017.

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE