

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

JUL 30 2009

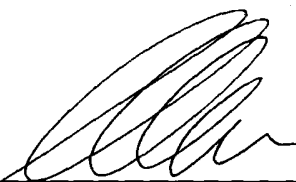
IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JOHN F. CORCORAN, CLERK
BY: 
DEPUTY CLERK

BILLY LESTER,)	
)	Civil Action No. 7:08cv00407
Plaintiff,)	
)	
v.)	<u>MEMORANDUM OPINION</u>
)	
MICHAEL J. ASTRUE,)	By: Samuel G. Wilson
Commissioner of Social Security,)	United States District Judge
)	
Defendant.)	

This case was referred pursuant to 28 U.S.C. § 636(b)(1)(B) to the Honorable Michael F. Urbanski, United States Magistrate Judge. The Magistrate Judge has filed a report recommending that an order be entered affirming the decision of the Commissioner, granting the defendant's motion for summary judgment, and denying the plaintiff's motion for summary judgment. Objections to the report and recommendation have been filed, and the court, upon review of the record, is of the opinion that the report should be adopted. Accordingly, it is **ORDERED** and **ADJUDGED** that the final decision of the Commissioner is affirmed, defendant's motion for summary judgment is **GRANTED**, plaintiff's motion for summary judgment is **DENIED**, and this case is **ORDERED** stricken from the docket of the court.

ENTER: This July 30, 2009.



UNITED STATES DISTRICT JUDGE