

SEP 06 2012

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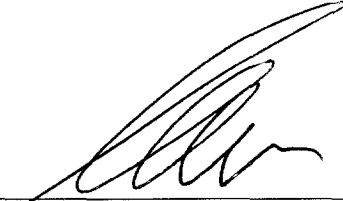
IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

LAURE ANN KEFFER,)	
)	
Plaintiff,)	Civil Action No. 7:11cv00478
)	
v.)	<u>FINAL ORDER</u>
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	By: Samuel G. Wilson
)	United States District Judge
Defendant.)	

This is a Social Security appeal by plaintiff, Laure Ann Keffer, that was referred to the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) for review and for the preparation of a report setting forth his proposed findings and recommendations concerning its proper disposition. Ms. Keffer has rheumatoid arthritis, as well as other serious medical conditions, and the evidence is conflicting as to whether she was totally disabled as a result of those conditions on or before the date she was last insured, September 30, 2009. The administrative law judge who considered the evidence and heard Ms. Keffer's testimony and the testimony of a vocational expert concluded that she was not totally disabled. The Magistrate Judge has filed a report concluding that the Commissioner's final decision is supported by substantial evidence and recommending that the court affirm and enter summary judgment for the Commissioner. Ms. Keffer has objected to the report, and the case is now before the court on that objection. The court has reviewed the magistrate judge's report, the objections to that report, and pertinent portions of the administrative record, and concludes that there is conflicting evidence and that it was the province of the Commissioner to resolve that conflict.

Accordingly, the court adopts the Magistrate Judge's report, and it is **ORDERED** and **ADJUDGED** that the Commissioner's decision is **AFFIRMED**, plaintiff's motion for summary judgment is **DENIED**, and this case is **STRICKEN** from the docket of the court.

ENTER: September 6, 2012.



UNITED STATES DISTRICT JUDGE