

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

TAMMY LOUISE GORDON,

Plaintiff,

v.

Civil Action No. 2:20-CV-00478

KILOLO KIJAKAZI, Acting  
Commissioner of Social  
Security,<sup>1</sup>

Defendant.

MEMORANDUM OPINION AND ORDER

The court having received the Proposed Findings and Recommendation of United States Magistrate Judge Cheryl A. Eifert, entered on June 28, 2021 (ECF No. 15); and the magistrate judge having recommended that the court deny plaintiff's request for judgment on the pleadings (ECF No. 13), grant defendant's request to affirm the decision of the Commissioner (ECF No. 14), and dismiss this action from the docket of the court; and no objection having been filed to the Proposed Findings and Recommendation, it is ORDERED that the findings made in the Proposed Findings and Recommendation of the

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<sup>1</sup> While Mr. Saul was the Acting Commissioner when this case was instituted, Ms. Kijakazi has succeeded Mr. Saul. Accordingly, she is automatically substituted in his place. See Fed. R. Civ. P. 25(d).

magistrate judge (ECF No. 15) be, and they hereby are, adopted by the court and incorporated herein.

Accordingly, it is further ORDERED that:


1. Plaintiff Gaskins' request for judgment on the pleadings (ECF No. 13) be, and hereby is, DENIED.

2. The defendant's request that the court affirm the decision of the Commissioner (ECF No. 14) be, and hereby is, GRANTED.

3. This action be, and hereby is, DISMISSED from the docket of this court.

The Clerk is directed to forward copies of this memorandum opinion and order to all counsel of record, any unrepresented party, and United States Magistrate Judge Eifert.

ENTER: October 1, 2021

  
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John T. Copenhaver, Jr.  
Senior United States District Judge