

IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF KANSAS

DOUGLAS H. EFFERTZ,)
)
Plaintiff,)
)
v.)
)
MICHAEL J. ASTRUE,)
Commissioner of)
Social Security,)
)
Defendant.)

Case No. 08-1061-WEB

ORDER ADOPTING RECOMMENDATION AND REPORT

Plaintiff seeks review of the Defendant's denial of disability insurance benefits and supplemental security income payments. The matter was referred to Magistrate Judge Reid for a recommendation and report pursuant to Fed. R. Civ. P. 72(b). Now before the Court is the Recommendation and Report of Magistrate Judge Reid. (Doc. 13). Neither party has filed a written objection.

The Magistrate Judge found the decision of the Administrative Law Judge (ALJ) should be affirmed. The Magistrate Judge found there was substantial evidence in the record to support the conclusions of the ALJ that plaintiff did not have a severe mental impairment. Therefore, there was no error by the ALJ in his evaluation.

Therefore it is ORDERED that the Recommendation and Report (Doc. 13) be adopted by the Court.

It is further ORDERED that the decision of the Commissioner be AFFIRMED.

The Clerk of the Court is directed to enter Judgment accordingly.

SO ORDERED this 30th day of October, 2008.

s/ Wesley E. Brown
Wesley E. Brown
U.S. Senior District Judge