

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

GLENN ROSEBROUGH,

Plaintiff,

Vs.

No. 08-4051-SAC

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

MEMORANDUM AND ORDER

The court referred this administrative appeal to the United States Magistrate Judge for report and recommendation. The Magistrate Judge filed a report and recommendation on February 23, 2009, clearly stating the parties' right to file written objections to the recommendation within ten days, and noting that failure to timely file objections will be deemed a waiver of appellate review. Ten days have passed and no written objections have been filed in accordance with 28 U.S.C. § 636(b)(1).

The court has reviewed the report and recommendation, as well as the relevant pleadings in this case. Based upon this review and the absence of any filed objections, the court accepts the report and recommendation and adopts it as

the ruling of this court, affirming the decision of the Commissioner.

IT IS SO ORDERED.

Dated this 11th day of March, 2009, Topeka, Kansas.

s/ Sam A. Crow

Sam A. Crow, U.S. District Senior Judge