

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

JAMES E. MOORE,

Plaintiff,

v.

**MICHAEL J. ASTRUE,
Commissioner of Social Security,**

Defendant.

CIVIL ACTION

No. 09-2365-KHV

ORDER

James E. Moore appeals the final decision of the Commissioner of Social Security to deny disability insurance benefits under Sections 216(i), 223, 1602 and 1614(a)(3)(A) of the Social Security Act. See 42 U.S.C. §§ 416(i), 423, 1381a and 1382c(a)(3)(A). On April 27, 2010, Magistrate Judge Gerald B. Cohn recommended that the Commissioner's decision be affirmed and that judgment be entered in accordance with the fourth sentence of 42 U.S.C. § 405(g). See Report And Recommendation (Doc. #14). The deadline for written objections to the report and recommendation was May 11, 2010. See Rules 6(a) and 72(a), Fed. R. Civ. P. The parties have not objected. The Court therefore adopts the Report And Recommendation (Doc. #14) in its entirety.

IT IS THEREFORE ORDERED that the Commissioner's decision be and hereby is **AFFIRMED**. Judgment is entered against plaintiff pursuant to the fourth sentence of 42 U.S.C. § 405(g) consistent with the Report And Recommendation (Doc. #14) filed April 27, 2010.

Dated this 24th day of May, 2009, at Kansas City, Kansas.

s/ Kathryn H. Vratil
KATHRYN H. VRATIL
United States District Judge