

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

HOWARD S ROUX,

Plaintiff,

v.

Case No: 2:17-cv-335-FtM-99MRM

COMMISSIONER OF SOCIAL
SECURITY and SSA,

Defendants.

OPINION AND ORDER

This matter is before the Court on consideration of the Magistrate Judge's Report and Recommendation (Doc. #23), filed December 20, 2017, recommending that plaintiff's Motion for Summary Judgment (Doc. #19) be denied, and the Commissioner's Motion to Strike (Doc. #22) be denied as moot. No objections have been filed and the time to do so has expired.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); Williams v. Wainwright, 681 F.2d 732 (11th Cir. 1982), cert. denied, 459 U.S. 1112 (1983). After conducting an independent examination of the file, noting the presence of an Answer (Doc. #15), and upon due consideration of the Report and Recommendation, the Court accepts the Report and Recommendation of the magistrate judge.

Accordingly, it is now


ORDERED:

1. The Report and Recommendation (Doc. #23) is hereby **adopted** and the findings incorporated herein.

2. Plaintiff's Motion for Summary Judgement [sic] (Doc. #19) is **DENIED**.

3. The Commissioner's Motion to Strike (Doc. #22) is **DENIED** as moot.

DONE and ORDERED at Fort Myers, Florida, this 8th day of January, 2018.



JOHN E. STEELE
SENIOR UNITED STATES DISTRICT JUDGE

Copies:
Hon. Mac R. McCoy
United States Magistrate Judge

Counsel of Record
Unrepresented parties