

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

|   |   |                                  |
|---|---|----------------------------------|
| <b>NEIL B. CARMICHAEL,</b>              | ) |                                  |
|   | ) |                                  |
| <b>PLAINTIFF</b>                        | ) |                                  |
|   | ) |                                  |
| <b>v.</b>                               | ) | <b>CIVIL No. 1:10-cv-338-DBH</b> |
|   | ) |                                  |
| <b>MICHAEL J. ASTRUE,</b>               | ) |                                  |
| <b>COMMISSIONER OF SOCIAL SECURITY,</b> | ) |                                  |
|   | ) |                                  |
| <b>DEFENDANT</b>                        | ) |                                  |

**ORDER AFFIRMING RECOMMENDED DECISION  
OF THE MAGISTRATE JUDGE**

On June 24, 2011, the United States Magistrate Judge filed with the court, with copies to the parties, his Report and Recommended Decision. The time within which to file objections expired on July 11, 2011, and no objections have been filed. The Magistrate Judge notified the parties that failure to object would waive their right to *de novo* review and appeal.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The Commissioner's decision is **AFFIRMED**.

**SO ORDERED.**

**DATED THIS 12<sup>TH</sup> DAY OF JULY, 2011**

/s/D. BROCK HORNBY  
\_\_\_\_\_  
**D. BROCK HORNBY**  
**UNITED STATES DISTRICT JUDGE**

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE (BANGOR)  
CIVIL DOCKET NO. 1:10cv338 (DBH)**

**Neil B. Carmichael,**

**Plaintiff**

Represented By **James G. Fongemie**

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**v.**

**Michael J. Astrue, Commissioner,  
Social Security Administration,**

**Defendant**

Represented By **Jason W. Valencia**

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