

then denied Neff's application for benefits, and the Appeals Council later declined to review that decision. [*Id.*] This appeal followed.

In his recommended disposition, the Magistrate thoroughly addressed each of Neff's objections to the ALJ's findings. He noted that the ALJ gave "careful consideration to the entire record," that he "accurately described and fully considered [an expert's disputed medical] evaluation," and that he fully "explained his reasons, in sequence, for not finding either [the claimant's alleged] neuropathy or back pain to preclude Neff from performing medium work." [*Id.* at 8, 9, 11.] Judge Wier also determined that the ALJ did not err in refusing to order an additional consultative examination because the existing "record—buttressed by a consultant's opinion, years of providers' medical records, and the report of an examiner—contained sufficient evidence to make a disability determination." [*Id.* at 16.] He likewise found the ALJ's assessment of Neff's credibility reasonable, citing numerous "inconsistencies the ALJ found between Neff's subjective statements of pain and the objective medical evidence." [*Id.* at 22.] And "[b]ecause the Court . . . found no reversible error concerning any of the prior arguments, and those arguments [were] the sole bases for [Neff's allegation of a vocational expert's] hypothetical error," Judge Wier also found "no reversible error as to the ALJ's hypothetical." [*Id.* at 25.] The Magistrate lastly recognized that "the Court must affirm the ALJ's decision if substantial evidence supports the ruling, even if the Court might have decided the case differently." [*Id.* at 3-4.]; (citing *Longworth v. Comm'r of Soc. Sec.*, 402 F.3d 591, 595 (6th Cir. 2005)).

Generally, this Court must make a *de novo* determination of those portions of a recommended disposition to which objections are made. 28 U.S.C. § 636(b)(1)(c). When no objections are made, as in this case, this Court is not required to "review . . . a magistrate's

factual or legal conclusions, under a de novo or any other standard.” *See Thomas v. Arn*, 474 U.S. 140, 151 (1985). Parties who fail to object to a magistrate judge’s recommendation are also barred from appealing a district court’s order adopting that recommendation. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). Nevertheless, this Court has carefully examined the record and agrees with Judge Wier’s Recommended Disposition. Accordingly, the Court **HEREBY ORDERS** as follows:

1. The Recommended Disposition [**R. 15**] as to Plaintiff Stacy Neff is **ADOPTED** as and for the Opinion of the Court;
2. Neff’s Motion for Judgment on the Pleadings [**R. 11**] is **DENIED**;
3. The Commissioner’s Motion for Summary Judgment [**R. 12**] is **GRANTED**; and
4. Judgment in favor of the Commissioner will be entered contemporaneously herewith.

This 14th day of September, 2016.



Gregory F. Van Tatenhove
United States District Judge