

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
OWENSBORO DIVISION
CIVIL ACTION NO. 4:10CV60-J

MIRANDA FAYE JACKSON

PLAINTIFF

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security

DEFENDANT

MEMORANDUM OPINION AND ORDER

Plaintiff Miranda Faye Jackson seeks Disability Insurance and Supplemental Security Income Benefits which were denied by the Commissioner. This matter was referred to United States Magistrate Judge E. Robert Goebel who recommends that the final decision be affirmed and the plaintiff's claim dismissed.

The plaintiff has timely filed objections to the Magistrate Judge's Report arguing: 1) the ALJ erred in failing to find a severe mental impairment; and 2) the Magistrate Judge erred in finding that the ALJ gave good reasons for accepting the opinion of the Social Security Administration's non-examining psychologists. Additionally, the Magistrate Judge declined to grant a sentence six remand for medical evidence that was submitted to the Appeals Council but was not part of the administrative record.

Thorough review of the record in light of claimant's arguments reveals that the ALJ's conclusions are supported by substantial evidence of record. The issues in contention were sufficiently addressed in the Magistrate Judge's Report and Recommendation. In sum, this Court has conducted a de novo review of the Magistrate Judge's report in light of the objections thereto and the record as a whole. The Magistrate Judge's Report is hereby adopted, and its findings and

conclusions are incorporated by reference herein.

Accordingly, for the reasons stated herein, IT IS ORDERED:

- 1) The Magistrate Judge's Report and Recommendation is ADOPTED, and those findings and conclusions are incorporated by reference herein;
- 2) The final Decision of the Commissioner denying benefits is AFFIRMED; and
- 3) Plaintiff's Complaint is DISMISSED, with prejudice.

This is a final and appealable Memorandum Opinion and Order, and there is no just cause for delay.