

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

ROSE A.,

Plaintiff,

v.

CIVIL ACTION NO. 3:23-0551

MARTIN J. O'MALLEY,  
Commissioner of Social Security Administration,

Defendant.

**MEMORANDUM OPINION AND ORDER**

This action was referred to the Honorable Omar J. Aboulhosn, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted Findings of Fact and recommended that the Court deny the Plaintiff's request for remand (ECF No. 5), grant the Defendant's request to affirm (ECF No. 6), affirm the final decision of the Commissioner, and dismiss this matter from this Court's docket. No objections to the Magistrate Judge's findings and recommendation have been filed.

Accordingly, the Court accepts and incorporates herein the findings and recommendation of the Magistrate Judge and **DENIES** the Plaintiff's request for remand (ECF No. 5), **GRANTS** the Defendant's request to affirm (ECF No. 6), **AFFIRMS** the final decision of the Commissioner, and **DISMISSES** this matter from this Court's docket, consistent with the findings and recommendation.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: January 23, 2024

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', written over a horizontal line.

ROBERT C. CHAMBERS  
UNITED STATES DISTRICT JUDGE