

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

CHRISTINA J. HAWKINS

PLAINTIFF

v.

No. 4:13CV00712 JLH-JTR

CAROLYN W. COLVIN, Acting Commissioner,
SOCIAL SECURITY ADMINISTRATION

DEFENDANT

ORDER

The Court has received and reviewed the proposed findings and recommended disposition submitted by United States Magistrate Judge J. Thomas Ray, as well as the objections submitted by Christina Hawkins. After a *de novo* review of the record, the Court adopts the proposed findings and recommended disposition as the findings and disposition of the Court. Hawkins objects to Judge Ray's dismissal of her therapist's letter because the therapist is not considered a source under 20 C.F.R. §§ 404.1513 and 416.913. Hawkins contends that her therapist is a "other source" under 20 C.F.R. §§ 404.1513(d)(1) and 416.913(d)(1). *See Shontos v. Barnhart*, 328 F.3d 418, 426 (8th Cir. 2003). A therapist may be an other source, as Hawkins argues, but the letter from the therapist is a conclusory letter that states no basis for the opinions expressed therein, and, as Judge Ray noted, the therapist had not treated Hawkins recently. The Administrative Law Judge correctly noted that the therapist was a source whose opinions could be considered on such issues as the severity of the impairments and functional effects, and he nevertheless discounted her opinions as conclusory. Assuming, without deciding, that Judge Ray erred by not considering the therapist as an other source, that error does not change the outcome. Hawkins's other objections point to evidence that supports her contention that she is disabled. Still, based on the evidence in the record as a whole, substantial evidence supports the decision of the ALJ, and the ALJ made no legal error. Therefore, the Court

adopts the recommended disposition submitted by Judge Ray. Christina Hawkins's request for relief is denied, and the decision of the Commissioner is affirmed.

IT IS SO ORDERED this 26th day of August, 2014.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE