

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

ELIZABETH A. SUGER,
Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,
Defendant.

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Civil No. 3:08-CV-434 (PCD)

RULING ACCEPTING AND ADOPTING RECOMMENDED RULING
AND DENYING MOTION TO APPOINT COUNSEL

Plaintiff's action seeks review and reversal of the decision of the Commissioner of Social Security ("SSA") denying Plaintiff Disability Insurance Benefits ("DIB"). The Commissioner denied Plaintiff's claim both initially and upon reconsideration. Plaintiff requested and was granted a hearing before Administrative Law Judge ("ALJ") Burlison, which resulted in a denial of benefits. On September 18, 2007, the Appeals Council denied Plaintiff's request for review, rendering ALJ Burlison's decision final. On March 20, 2008, Plaintiff filed this complaint and sought reversal of the Commissioner's final decision. A motion to affirm that decision was filed by Defendant. On March 10, 2009, Plaintiff filed a Motion to Submit Documents, which was granted to the extent that Magistrate Judge Joan Glazer Margolis considered the submitted documents in support of Plaintiff's motion.

These motions were referred to Magistrate Judge Margolis for consideration and ruling. Her decision was rendered on July 8, 2009. Plaintiff filed a Motion for District Judge Review [Doc. No. 46] and a Motion to Appoint Counsel [Doc. No. 47]. Plaintiff's motions request "the continuation of this case" citing her long-term history of mental illness. However, neither

motion contains specific objections to the Recommended Ruling (“Ruling”). The Ruling does not dispute that Plaintiff suffers from a mental impairment, but Magistrate Margolis found no record of such disability prior to 2000-2001. The Ruling held that Plaintiff’s insured status for DIB ended on September 30, 1995 and she was therefore ineligible when she applied for DIB in 2005, although she was granted Supplemental Security Income benefits at that time. Plaintiff did not object to this crucial holding.

Notwithstanding the lack of objection, the ruling of the Magistrate Judge has been reviewed. The Magistrate Judge’s ruling fully, thoroughly and carefully reviewed the administrative record and properly found that the ruling of the ALJ should be upheld.

Accordingly, the ruling of the Magistrate Judge [Doc. No. 45] is **accepted and adopted**. The Motion for Remand or Reversal [Doc. No. 39] is **denied**. The Motion to Submit documents [Doc. No. 39] is **granted in part** to the extent that the Magistrate has already considered the submitted documents. The Motion to Appoint Counsel [Doc. No. 47] is **denied**. The Motion to Affirm the Decision of the Commissioner [Doc. No. 40] is **granted**. Judgment shall enter accordingly and The Clerk shall close the case.

SO ORDERED.

Dated at New Haven, Connecticut, this 24th day of August, 2009.

/s/ _____
Peter C. Dorsey
United States District Judge