

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

SCOTT HIGGINS,

Plaintiff,

v.

Case No: 5:12-cv-364-Oc-PRL

**COMMISSIONER OF SOCIAL
SECURITY**

Defendant.

MEMORANDUM OF DECISION

This matter is before the Court on Plaintiff's Complaint (Doc. 1), seeking review of the final decision of the Commissioner of the Social Security Administration (the "Commissioner") denying his claim for disability insurance benefits under the Social Security Act. On August 7, 2013, the Court heard oral argument.

On appeal, Plaintiff argues that the ALJ erred by finding that based on testimony of a vocational expert there were a significant number of jobs which existed in the national economy that Plaintiff can perform, relying on Beltran v. Astrue, 676 F.3d 1203 (9th Cir., 2012).

Having considered the memoranda of the parties (Docs. 19 & 20) and having heard oral argument, the Court concludes for the reasons set forth in the attached Findings, which are incorporated by reference, that the ALJ applied the correct legal standards and his final decision is supported by substantial record evidence. Accordingly, it is hereby

ORDERED

1. Pursuant to sentence four of 42 U.S.C. §405(g), the Commissioner's final decision in this case is **AFFIRMED**.

2. The Clerk is hereby directed to enter judgment accordingly and to close the file.

DONE and ORDERED in Ocala, Florida on August 7, 2013.



PHILIP R. LAMMENS
United States Magistrate Judge

The Court Requests that the Clerk
Mail or Deliver Copies of this order to:

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The Honorable [Robert D. Marcinkowski](#)
Administrative Law Judge
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