

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION

TIJUANA TUGGERSON-BROWN,

Plaintiff,

v.

Case No: 5:12-CV-381-Oc-18PRL

**COMMISSIONER OF SOCIAL
SECURITY**

Defendant.

REPORT AND RECOMMENDATION¹

THIS CAUSE is before the Court on Plaintiff's appeal of an administrative decision denying her application for a Period of Disability and Disability Insurance Benefits ("DIB"). The Court has reviewed the record, memoranda, and applicable law. For the reasons set forth herein, the Commissioner's decision should be **AFFIRMED**.

I. Procedural History and Summary of the ALJ's Decision

On October 5, 2007, Plaintiff filed an application for DIB, alleging a disability onset date of August 26, 2007. (Tr. 103-110). Plaintiff's application was denied initially and upon reconsideration. (Tr. 62-64, 70-71). Plaintiff then requested and received a hearing before an Administrative Law Judge ("ALJ") on January 29, 2010, during which Plaintiff testified and was represented by counsel. (Tr. 26-44). On March 3, 2010, the ALJ issued his decision, and found that Plaintiff was not disabled and denied her claim. (Tr. 12-21). After the Appeals Council denied review (Tr. 1-3), on March 30, 2011, Plaintiff filed a Complaint in this Court. *See*

¹ Specific written objections may be filed in accordance with 28 U.S.C. § 636, and Rule 6.02, Local Rules, M.D. Fla., within fourteen (14) days after service of this report and recommendation. Failure to file timely objections shall bar the party from a *de novo* determination by a district judge and from attacking factual findings on appeal.