

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION

DEBRA E. MILAM,

Plaintiff,

-vs-

Case No. 5:15-cv-534-Oc-10PRL

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

On January 5, 2017, the United States Magistrate Judge issued a Report (Doc. 26) recommending that the Commissioner's Decision denying the Plaintiff's claims for Disability Insurance Benefits and Supplemental Security Income Benefits be affirmed. The Plaintiff has filed Objections (Doc. 27) to the Report and Recommendation. The Court will therefore conduct a *de novo* review of the case. See 28 U.S.C. § 636, M.D. Fla. Local Rule 6.02.

The Plaintiff raised three arguments in her appeal, both of which are reasserted in her Objections: (1) that the Administrative Law Judge ("ALJ") erred by finding that Plaintiff did not meet a listed impairment; (2) that the residual functional capacity (RFC) assessment is not supported by substantial evidence; and (3) that *res judicata* bars the finding that Plaintiff was not disabled prior to March 24, 2014. The Court has reviewed the record in this case and finds that the Plaintiff's arguments are unpersuasive, and that substantial evidence exists to support the ALJ's findings.

Upon due consideration, and a *de novo* review of the case, it is hereby ORDERED as follows:

(1) The Magistrate Judge's Report and Recommendation (Doc. 26) is ADOPTED, CONFIRMED, AND MADE A PART HEREOF;

(2) The Plaintiff's Objections (Doc. 27) are OVERRULED;

(3) Pursuant to sentence four of 42 U.S.C. § 405(g), the Commissioner's Decision denying the Plaintiff's claim for Disability Insurance Benefits and Supplemental Security Income Benefits is AFFIRMED; and

(4) The Clerk is directed to enter judgment accordingly, terminate all other pending motions and close the file.

IT IS SO ORDERED.

DONE and ORDERED at Ocala, Florida this 3rd day of February, 2017.



UNITED STATES DISTRICT JUDGE

Copies to: Counsel of Record
Hon. Philip R. Lammens
Mari Jo Taylor