

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

AARON JOSHUA SCOTT,

Plaintiff,

v.

Case No. 8:10-cv-1484-T-33AEP

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

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**ORDER**

This matter is before the Court on consideration of United States Magistrate Judge Anthony E. Porcelli's Report and Recommendation (Doc. # 23), entered on August 22, 2011, recommending that the decision of the Commissioner of Social Security denying social security benefits be affirmed. As of this date, neither party has filed an objection to the report and recommendation, and the time for the parties to file such objections has elapsed.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); Williams v. Wainwright, 681 F.2d 732 (11th Cir. 1982), cert. denied, 459 U.S. 1112 (1983).

In the absence of specific objections, there is no requirement that a district judge review factual findings de novo, Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject or modify, in whole or in part, the findings and recommendations. 28 U.S.C. § 636(b)(1)(C). The district judge reviews legal conclusions de novo, even in the absence of an objection. See Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Castro Bobadilla v. Reno, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), aff'd, 28 F.3d 116 (11th Cir. 1994) (Table).

After conducting a careful and complete review of the findings, conclusions and recommendations, and giving de novo review to matters of law, the Court accepts the factual findings and legal conclusions of the magistrate judge, and the recommendation of the magistrate judge.

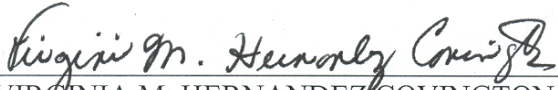
Accordingly, it is now

**ORDERED, ADJUDGED, and DECREED:**

- (1) United States Magistrate Judge Anthony E. Porcelli's Report and Recommendation (Doc. # 23), entered on August 22, 2011, is **ACCEPTED** and **ADOPTED**.
- (2) The decision of the Commissioner of Social Security denying benefits is **AFFIRMED**.

(3) The clerk is directed to close this case and to enter judgment in favor of the Commissioner reflecting that the Commissioner's decision denying benefits is affirmed.

**DONE** and **ORDERED** in Chambers, in Tampa, Florida, this 9th day of September, 2011.

  
VIRGINIA M. HERNANDEZ COVINGTON  
UNITED STATES DISTRICT JUDGE

Copies to: All Counsel of Record