

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

MICHELE BARDI,

Plaintiff,

vs.

Case No. 8:12-cv-02723-T-27AEP

**CAROLYN W. COLVIN,
Acting Commissioner of the United States
Social Security Administration,**

Defendant.

ORDER

BEFORE THE COURT is the Report and Recommendation (Dkt. 17) from the Magistrate Judge recommending that the decision of the Commissioner be affirmed. Plaintiff objected to the R&R (Dkt. 18), but no response to those objections has been received from the Commissioner, and the time for filing a response has now elapsed.

A district court may accept, reject, or modify a magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1). Those portions of the report and recommendation to which objection is made are accorded *de novo* review. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(3). Objections must "pinpoint the specific findings that the party disagrees with." *United States v. Schultz*, 565 F.3d 1353, 1360 (11th Cir. 2009); see *Leatherwood v. Anna's Linens Co.*, 384 Fed. Appx. 853, 857 (11th Cir. 2010). In the absence of specific objections, there is no requirement that findings be reviewed *de novo*. *Garvey v. Vaughn*, 993 F.2d 776, 779 n.9 (11th Cir. 1993). Nevertheless, the district court reviews the report and recommendation for "clear error" even in the absence of objections. *Macort*

v. Prem, Inc., 208 Fed. Appx. 781, 784 (11th Cir. 2006). Even if no objections to the findings or recommendations have been filed, the district court may “undertake ‘further review . . ., *sua sponte* or at the request of a party, under a *de novo* or any other standard.” *Stephens v. Tolbert*, 471 F.3d 1173, 1176 (11 th Cir. 2006) (quoting *Thomas v. Arn*, 474 U.S. 140, 154 (1985)).

A *de novo* review of the portions of the R&R to which Plaintiff has objected reveals that the objections are without merit. The Magistrate Judge correctly found that the ALJ demonstrated “good cause” for discounting the opinion of Dr. Aristilde.

Accordingly,

1) The Report and Recommendation (Dkt. 17) is **APPROVED** and **ADOPTED** for all purposes, including for appellate review.

2) The decision of the Commissioner is **AFFIRMED**.

3) The Clerk is directed to **ENTER** final judgment in favor of Defendant and to **CLOSE** the file.

DONE AND ORDERED this 14th day of February, 2014.


JAMES D. WHITTEMORE
United States District Judge

Copies to: Counsel of Record