

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION**

CARRIE A. LACY,

Plaintiff,

v.

CASE NO. 5:12-cv-327-MW/CAS

**CAROLYN W. COLVIN,
Acting Commissioner of
Social Security,**

Defendant.

**AMENDED ¹
ORDER ACCEPTING AND ADOPTING REPORT AND
RECOMMENDATION**

The Court has considered the Magistrate’s Report and Recommendation, ECF No. 21, filed August 14, 2013. No timely objections having been received, upon consideration

IT IS ORDERED:

The report and recommendation is **accepted and adopted** as the Court’s opinion. In accepting the report and recommendation, this Court recognizes that Dr. Dawson should have explained the amount (time/pounds) that Plaintiff could “frequently lift” in item 6 under “exertional limitations” because Dr. Dawson concluded that Plaintiff could frequently lift and/or carry “less than 10 pounds.”

¹ Amended only to correct a scrivener’s error.

While the “inability to lift and/or carry more than 1 or 2 pounds would erode the unskilled sedentary occupational base significantly” in some circumstances, Dr. Dawson’s failure to elaborate in this case is of no consequence because, as the Magistrate recognized, Plaintiff can occasionally lift and/or carry “10 pounds.”

The Clerk shall enter judgment stating, “The decision of the Commissioner to deny Plaintiff’s application for social security benefits is **AFFIRMED.**”

The Clerk shall close the file.

SO ORDERED on September 10, 2013.

s/Mark E. Walker
United States District Judge