

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 15-cv-21774-GAYLES/TURNOFF

ROSA RODRIGUEZ *on behalf of R.C.,
a minor,*

Plaintiff,

v.

CAROLYN COLVIN,
*Acting Commissioner of the Social Security
Administration,*

Defendant.

ORDER AFFIRMING AND ADOPTING REPORT OF MAGISTRATE JUDGE

THIS CAUSE came before the Court on the Report and Recommendation of Magistrate Judge William C. Turnoff (the “Report”) [ECF No. 23], filed on September 20, 2016. In his Report, Judge Turnoff recommends that the motion for summary judgment filed by Defendant Carolyn Colvin, Acting Commissioner of the Social Security Administration [ECF No. 21] be granted and the motion for summary judgment filed by Plaintiff Rosa Rodriguez, who appears on behalf of her minor son, R.C. (the Claimant) [ECF No. 20], be denied. Objections to the Report were due by October 7, 2016. To date, no objections have been filed.

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, if those objections “pinpoint the specific findings that the party disagrees with.” *United States v. Schultz*, 565 F.3d 1353, 1360 (11th Cir. 2009); *see also* Fed. R. Civ. P. 72(b)(3). If no objections are filed, the district court need only review the report and recommendation for “clear error.” *Macort v. Prem, Inc.*, 208 F. App’x 781, 784 (11th Cir. 2006) (per curiam); *see also* Fed. R. Civ. P. 72 advisory committee’s note. The Court has undertaken this

review and has found no clear error in the analysis and recommendations stated in the Report.

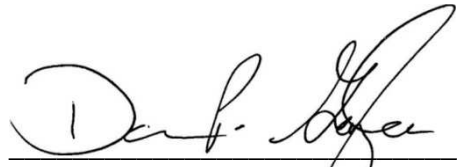
Accordingly, it is **ORDERED AND ADJUDGED** as follows:

- (1) the Report and Recommendation [ECF No. 23] is **AFFIRMED AND ADOPTED** and incorporated into this Order by reference;
- (2) the Defendant's Motion for Summary Judgment [ECF No. 21] is **GRANTED**; and
- (3) the Plaintiff's Motion for Summary Judgment [ECF No. 20] is **DENIED**.

Pursuant to Federal Rule of Civil Procedure 58, final judgment shall be entered separately.

This action is **CLOSED**.

DONE AND ORDERED in Chambers at Miami, Florida, this 12th day of October, 2016.



DARRIN P. GAYLES
UNITED STATES DISTRICT JUDGE