IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA ALBANY DIVISION

JOHN THOMAS DAVIS,	:
Plaintiff,	:
v.	:
MICHAEL J. ASTRUE, Commissioner of Social Security,	:
Defendant.	:

CASE NO.: 1:11-cv-133 (WLS)

<u>ORDER</u>

Before the Court is a Report and Recommendation from United States Magistrate Judge Thomas Q. Langstaff, filed August 23, 2012. (Doc. 15). It is recommended that the Social Security Commissioner's final decision be affirmed pursuant to Sentence Four of 42 U.S.C. § 405(g).

The Report and Recommendation provided the Parties with fourteen (14) days to file written objections to the recommendations therein. (*Id.* at 3). The objection period expired September 10, 2012. (*See* Docket.) Plaintiff filed his objection September 14, 2012, with no explanation for the delay. As such, it was not timely filed and will not be considered.¹

Upon full review and consideration upon the record, the objections set forth in Plaintiff's September 14, 2012 filing are **OVERRULED**, and the Court finds that said Report and

¹ In any event, Plaintiff's objections are unpersuasive. He again argues that the ALJ erred in finding that his posttraumatic stress disorder was not a medically determinable impairment. But the ALJ had substantial evidence to make that conclusion. A Veterans Administration doctor concluded that Plaintiff did not have PTSD and Plaintiff denied having several of the symptoms of PTSD. (Doc. 12-2 at 15.) The ALJ also considered the combination of Plaintiff's alleged impairments—including PTSD and his eye injury—and concluded they "have had minimal (if any) limiting effects on the claimant's ability to perform work activities." (*Id.*) As Judge Langstaff noted, the ALJ can satisfy his duty to consider all impairments by "stating that he considered whether the claimant suffered from any impairment or combination of impairments." *Jones v. Dep't of Health & Human Servs.*, 941 F.2d 1529, 1533 (11th Cir. 1991). Accordingly, Judge Langstaff did not err in recommending that the Commissioner's decision be affirmed.

Recommendation (Doc. 15) should be, and hereby is, **ACCEPTED**, **ADOPTED** and made the Order of this Court for reason of the findings made and reasons stated therein. Accordingly, the Social Security Commissioner's final decision is **AFFIRMED** pursuant to Sentence Four of 42 U.S.C. § 405(g).

SO ORDERED, this $_8^{th}$ day of November 2012.

/s/ W. Louis Sands THE HONORABLE W. LOUIS SANDS, UNITED STATES DISTRICT COURT