

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

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| WILLIE EDWARD TABOR, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CIVIL ACTION NO. 5:13-CV-251 (MTT) |
| |) | |
| CAROLYN W. COLVIN, <i>Commissioner of Social Security Administration,</i> |) | |
| |) | |
| Defendant. |) | |
| |) | |

ORDER

This matter is before the Court on the Recommendation of United States Magistrate Judge Charles H. Weigle. (Doc. 11). The Magistrate Judge, having reviewed the case pursuant to 28 U.S.C. § 636 and 42 U.S.C. § 405(g), recommends affirming the decision of the Commissioner because the Administrative Law Judge’s findings were supported by substantial evidence and based on proper legal standards. The Claimant has objected to the Recommendation. (Doc. 13). Specifically, the Claimant objects to the Magistrate Judge’s finding that the ALJ properly considered the opinion of the Claimant’s treating physician.

Contrary to the Claimant’s assertions, the ALJ did not reject or discount the opinion of the Claimant’s treating physician. Rather, the ALJ determined the treating physician’s treatment notes were consistent with the ability to perform light work. The ALJ then considered this opinion along with other evidence in the record, including the Claimant’s own testimony, in finding the Claimant was able to perform light work. The

ALJ did not substitute her opinion for that of the treating physician nor did she use an inappropriate standard of review.

The Court has thoroughly considered the Claimant's objection and has made a de novo determination of the portions of the Recommendation to which the Claimant objects. Accordingly, the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge. The Recommendation is adopted and made the order of this Court. The decision of the Commissioner is **AFFIRMED**.

SO ORDERED, this 5th day of August, 2014.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT