

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

<p>GEORGE BATTIE WOOD,</p> <p style="padding-left: 40px;">Plaintiff,</p> <p>v.</p> <p>NANCY A. BERRYHILL, Acting Commissioner of Social Security,</p> <p style="padding-left: 40px;">Defendant.</p> <hr style="width: 50%; margin-left: 0;"/>	<p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p>	<p>CIVIL ACTION</p> <p>NO. 5:16-CV-551 (CAR)</p> <p>Social Security Appeal</p>
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ORDER ON RECOMMENDATION OF
THE UNITED STATES MAGISTRATE JUDGE

Before the Court is the United States Magistrate Judge’s Report and Recommendation to affirm the Commissioner’s decision to deny Plaintiff George Wood’s application for disability insurance benefits, finding the Appeals Council properly declined to review the new records Plaintiff submitted, and because the ALJ’s residual function capacity (“RFC”) finding is supported by substantial evidence. Plaintiff filed a timely Objection to the Recommendation. Accordingly, the Court has conducted a *de novo* review of the administrative record and the Commissioner’s decision.

In his Objection, Plaintiff largely restates the same arguments he presented to the Magistrate Judge arguing the evidence submitted to the Appeals Council is new and material evidence establishing the ALJ’s decision is not supported, and the ALJ

failed to properly assess Plaintiff's RFC, and thus the decision to deny Plaintiff's application for disability insurance is not supported by substantial evidence. Contrary to Plaintiff's assertions, however, the Magistrate Judge thoroughly considered the administrative record and used the correct legal standards to explain why each alleged error fails. The Recommendation sets forth a detailed analysis and that analysis need not be restated here. The Court agrees with the Magistrate Judge's findings and conclusions and finds the ALJ applied the correct legal standards, and her decision was supported by substantial evidence. Accordingly, Plaintiff's Objections [Doc. 17] are **OVERRULED**, and the Report and Recommendation [Doc. 16] is therefore **ADOPTED** and **MADE THE ORDER OF THE COURT**.

SO ORDERED, this 14th day of March, 2018.

S/ C. Ashley Royal
C. ASHLEY ROYAL, SENIOR JUDGE
UNITED STATES DISTRICT COURT