

FILED  
U.S. DISTRICT COURT  
SOUTH DIST. OF GA.

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
WAYCROSS DIVISION

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SO. DIST. OF GA.

ALICIA BOATRIGHT, )  
)  
Plaintiff, )  
)  
v. )  
)  
MICHAEL J. ASTRUE, )  
Commissioner of Social Security, )  
)  
Defendant. )

CIVIL ACTION NO.: CV508-007

**ORDER**


Presently before the Court are Plaintiff's Objections to the Magistrate Judge's Report, wherein he recommended that the decision of the Commissioner of the Social Security Administration be affirmed. Plaintiff was sent a copy of the Magistrate Judge's February 23, 2009, Report, along with an order that advised Plaintiff that timely objections should be submitted on or before March 13, 2009. (Doc. No. 22). Plaintiff's Objections were filed on March 17, 2009. (Doc. No. 23).

When a party makes a timely and specific objection to a portion of a magistrate judge's report and recommendation, the district court is obliged to engage in a de novo review of the issues raised on objection. Nettles v. Wainwright, 677 F. 2d 404, 406 (5th Cir. Unit B 1982). However, issues upon which no timely and specific objections are raised do not require de novo review. The district court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge, applying a clearly erroneous standard. Tauber v. Barnhart, 438 F. Supp. 2d 1366, 1373

(11th Cir. 2006) (citing Nettles, 677 F. 2d at 409). An error is clearly erroneous if, after viewing all the evidence, the court is left with the definite and firm conviction that a mistake has been committed. Tauber, 438 F. Supp. 2d at 1374 (citing HGI Assoc., Inc. v. Wetmore Printing Co., 427 F. 3d 867, 873 (11th Cir. 2005)).

This Court has reviewed the Magistrate Judge's Report using a clearly erroneous standard due to Plaintiff's failure to file timely objections to the Report. The Magistrate Judge's Report and Recommendation is not clearly erroneous. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court. The decision of the Commissioner is **AFFIRMED**. The Clerk of the Court is authorized and directed to enter the appropriate judgment of dismissal.

SO ORDERED, this 27<sup>th</sup> day of MARCH, 2009.

  
WILLIAM T. MOORE, JR., CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA