

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
PADUCAH DIVISION
CIVIL ACTION NO. 5:08CV182-J

SUSAN SINGLETON

PLAINTIFF

v.

MICHAEL ASTRUE,
Commissioner of Social Security

DEFENDANT

MEMORANDUM OPINION AND ORDER

Plaintiff Susan Singleton seeks Disability Insurance and Supplemental Security Income Benefits which were denied by the Commissioner. This matter was referred to United States Magistrate Judge W. David King who recommends that the final decision of the Commissioner be affirmed and the plaintiff's Complaint dismissed.

Plaintiff has timely filed objections to the Magistrate's Report arguing that her point of contention is the narrative portion of the consulting psychological opinion is dramatically different than the offered predominately moderate mental assessment. Thorough review of the record in light of claimant's arguments reveals that the ALJ's RFC findings as articulated to the vocational expert accurately portrayed the mental limitations found by the psychological consultant. It appears that the ALJ gave the claimant the benefit of the doubt when translating the moderate limitations found by the psychological consultant to only "occasional" performance of those activities. In sum, the ALJ's findings are supported by substantial evidence of record, and the issues in contention were sufficiently addressed in the Magistrate Judge's Report and Recommendation.

In sum, this Court has conducted a de novo review of the entire record and finds that the analyses and conclusions of the Magistrate Judge mirror those of the undersigned. The Court adopts the Magistrate Judge's Report and Recommendation in lieu of writing a separate opinion.

Accordingly, for the reasons stated herein, IT IS ORDERED:

- 1) The Magistrate Judge's Report and Recommendation is ADOPTED, and those findings and conclusions are incorporated by reference herein;
- 2) The final Decision of the Commissioner denying benefits is AFFIRMED; and
- 3) Plaintiff's Complaint is DISMISSED, with prejudice.

This is a final and appealable Memorandum Opinion and Order, and there is no just cause for delay.