UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JEAN HARBIN, on behalf of
PAUL SARVER,

Plaintiff,

v.

Case. No. 11-15699
Hon. Lawrence P. Zatkoff

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.
_____/

OPINION AND ORDER

AT A SESSION of said Court, held in the United States Courthouse,
in the City of Port Huron, State of Michigan, on August 29, 2013

PRESENT: THE HONORABLE LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE

I. INTRODUCTION

Plaintiff filed this action seeking Social Security disability benefits. The matter currently before the Court is Magistrate Judge's Report and Recommendation [dkt 17], in which the Magistrate Judge recommends that Plaintiff's Motion for Summary Judgment [dkt 10] be denied and Defendant's Motion for Summary Judgment [dkt 15] be granted. Plaintiff has filed objections to the Magistrate's Report and Recommendation [dkt 19]. The Court has thoroughly reviewed the court file, the respective motions, the Report and Recommendation, and Plaintiff's objections. For the reasons discussed below, the Court ADOPTS the Magistrate Judge's Report and Recommendation. Plaintiff's Motion for Summary Judgment is DENIED, and Defendant's Motion for Summary Judgment is GRANTED. The Court will, however, briefly address Plaintiff's objections.

II. OBJECTIONS

Plaintiff raises two objections to the Magistrate Judge's Report and Recommendation. The Court notes at the outset that Plaintiff's Objections are essentially restatements of the arguments set forth in his Motion for Summary Judgment, which were adequately addressed by the Magistrate Judge's Report and Recommendations. Notwithstanding this, the objections are largely based on claims that there is evidence to conflict the evidence relied upon by the Appeals Council or that substantial evidence exists to support a finding in Plaintiff's favor on a particular issue. Even if true, however, these claims are not dispositive if "it is also true that substantial evidence supports [Defendant's] finding." *Casey v. Sec'y of Health & Human Svc's*, 987 F.2d 1230, 1235 (6th Cir. 1993). As noted by the Magistrate Judge, there is substantial evidence to support the Appeals Council's determinations with respect to the medical source opinions and credibility of Plaintiff. Therefore, Plaintiff's objections are not well-taken.

III. CONCLUSION

The Court hereby ADOPTS the Magistrate Judge's Report and Recommendation. Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion for Summary Judgment [dkt 10] is DENIED, and Defendant's Motion for Summary Judgment [dkt 15] is GRANTED.

IT IS SO ORDERED.

Date: August 29, 2013

s/Lawrence P. Zatkoff
LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE