

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PAUL FRANK TERRELL,

Plaintiff,

vs.

Civil Action No. 12-cv-11781
HON. BERNARD A. FRIEDMAN
MAG. JUDGE MICHAEL HLUCHANIUK

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

MEMORANDUM OPINION AND ORDER

This matter is before the Court on Magistrate Judge Michael Hluchaniuk's Report and Recommendation ("R&R") dated August 16, 2013 [docket entry 13]. The R&R recommended that the Court grant the Commissioner's motion for summary judgment [docket entry 11] and deny plaintiff's motion for summary judgment [docket entry 8]. Neither plaintiff nor the Commissioner has filed an objection to the R&R pursuant to Fed. R. Civ. P. 72(b)(2).

The Court had an opportunity to fully review this matter and believes that the magistrate judge reached the correct conclusions for the proper reasons. The record supports the magistrate judge's finding that the administrative law judge ("ALJ") accorded the appropriate weight to plaintiff's treating sources as their treatment notes did not contain any medical opinion regarding plaintiff's functional limitations. See e.g. Deau v. Comm'r of Soc. Sec., No. 11-0375, 2012 U.S. Dist. LEXIS 129269, at *13 (W.D. Mich. Jul. 30, 2012) *adopted by* 2012 U.S. Dist. LEXIS 122515 (W.D. Mich., Aug. 29, 2012). Nor did the ALJ err when he determined that plaintiff could perform a limited range of light work with postural and environmental limitations.

Accordingly,

IT IS ORDERED that Magistrate Judge Michael Hluchaniuk's R&R, dated August 16, 2013, is hereby accepted and adopted.

IT IS FURTHER ORDERED that the Commissioner's motion for summary judgment is granted.

IT IS FURTHER ORDERED that plaintiff's motion for summary judgment is denied.

Dated: September 10, 2013
Detroit, Michigan

s/ Bernard A. Friedman _____
BERNARD A. FRIEDMAN
SENIOR UNITED STATES DISTRICT JUDGE