

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAWN LANG,

Plaintiff,

v.

Civil Case No. 17-14105
Honorable Linda V. Parker

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

OPINION AND ORDER

On December 20, 2017, Plaintiff filed this lawsuit challenging the Commissioner of Social Security's final decision denying her application for social security benefits. The following day, this Court referred the lawsuit to Magistrate Judge David R. Grand for all pretrial proceedings, including a hearing and determination of all non-dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(A) and/or a report and recommendation ("R&R") on all dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(B). (ECF No. 3.) The parties subsequently filed cross-motions for summary judgment. (ECF Nos. 18, 20.)

On September 14, 2018, Magistrate Judge Grand issued a R&R, recommending that this Court deny Plaintiff's motion for summary judgment and grant Defendant's motion. (ECF No. 21.) Magistrate Judge Grand first concludes

that Administrative Law Judge Sarah Zimmerman (“ALJ”) gave good reasons, supported by substantial evidence for discounting the opinion of Plaintiff’s treating physician. (*Id.* at Pg ID 1320-23.) Magistrate Judge Grand next concludes that the ALJ did not err in failing to account for Plaintiff’s frequent absences from work to receive medical treatment. (*Id.* at Pg ID 1324-26.)

At the end of the R&R, Magistrate Judge Grand advises the parties that they may object to and seek review of the R&R within fourteen days of service upon them. (*Id.* at Pg ID 1326.) He further specifically advises the parties that “[f]ailure to file specific objections constitutes a waiver of any further right to appeal.” (*Id.*) Neither Plaintiff nor Defendant filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Grand. The Court therefore adopts Magistrate Judge Grand’s September 14, 2018 R&R.

Accordingly,

IT IS ORDERED that Plaintiff’s motion for summary judgment (ECF No. 18) is **DENIED**;

IT IS FURTHER ORDERED that Defendant’s motion for summary judgment (ECF No. 20) is **GRANTED** and Defendant’s decision denying Plaintiff

social security benefits is **AFFIRMED**.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: November 7, 2018

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, November 7, 2018, by electronic and/or U.S. First Class mail.

s/ R. Loury
Case Manager