

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MELISSA SUE TUCKER,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:17-cv-480

HON. JANET T. NEFF

OPINION AND ORDER

Plaintiff seeks judicial review of a decision of the Commissioner of the Social Security Administration. 42 U.S.C. § 405(g). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation (R & R), recommending that this Court affirm the Commissioner's decision to deny Plaintiff's claim for Disability Insurance Benefits (DIB) and Supplemental Security Income (SSI) under Titles II and XVI of the Social Security Act. The matter is presently before the Court on Plaintiff's objections to the Report and Recommendation (ECF No. 14). Defendant filed a response to the objections (ECF No. 15). In accordance with 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b)(3), the Court has performed de novo consideration of those portions of the Report and Recommendation to which objections have been made. The Court denies the objections and issues this Opinion and Order.

Plaintiff's lengthy objections merely repeat her arguments before the Magistrate Judge (ECF No. 11; ECF No. 14 at PageID.882-890).¹ Plaintiff offers only a brief concluding paragraph

¹ Plaintiff's basic statement of her objection is identical to her statement of her argument before the Magistrate Judge (*see* ECF No. 11 at PageID.832; ECF No. 14 at PageID.878, 881).

alleging general error by the Magistrate Judge in two sentences. First, Plaintiff asserts that “[t]he Report and Recommendation picks out a few supportive psychiatric treatment notes, while deemphasizing an extensive treatment history that involved Agoraphobia, Bipolar, and PTSD and serious symptoms that waxed and waned, but nevertheless bolstered Dr. Boen’s opinion” (internal citation omitted) (ECF No. 14 at PageID.891). Second, Plaintiff asserts that “the Report and Recommendation does not adequately address the logical bridge problems and the inherent vagueness of the ALJ’s selected weighting gradations discussed above” (*id.*).

Plaintiff’s arguments do not constitute proper objection to the Report and Recommendation. A party filing objections to a report and recommendation is required to “specifically identify the portions of the proposed findings, recommendations or report to which objections are made and the basis for such objections.” W.D. Mich. LCivR 72.3(b). “A party’s objections must be ‘specific in order to focus the busy district court’s attention on only those issues that were dispositive and contentious.’” *Freeman v. Sec’y of Health & Human Servs.*, 972 F.2d 347, 1992 WL 197286, at *2 (6th Cir. 1992) (table decision) (quoting *Howard v. Sec’y of Health & Human Servs.*, 932 F.2d 505, 509 (6th Cir. 1991)). “[T]his purpose is not served if the district court is required to conduct a complete, de novo review of all of the pleadings that were considered by the magistrate judge.” *Freeman*, 1992 WL 197286, at *2.

Plaintiff’s objections reiterate her disagreement with the ALJ’s decision, but fail to identify any factual or legal error in the Magistrate Judge’s Report and Recommendation. The Magistrate Judge properly considered Plaintiff’s arguments on appeal in light of the record and governing law. Accordingly:

IT IS HEREBY ORDERED that the Objections (ECF No. 14) are DENIED, the Report and Recommendation of the Magistrate Judge (ECF No. 13) is APPROVED and ADOPTED as the Opinion of the Court, and the decision of the Commissioner of Social Security is AFFIRMED.

A Judgment will be entered consistent with this Opinion and Order.

Dated: September 7, 2018

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge