

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

LAURA BELINDA SIMON

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:13CV16-HSO-RHW

**MICHAEL J. ASTRUE,
Commissioner of Social Security**

DEFENDANT

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND AFFIRMING THE COMMISSIONER'S DECISION**

This matter comes before the Court on the Report and Recommendation [9] of United States Magistrate Judge Robert H. Walker entered on February 5, 2014. Judge Walker reviewed Plaintiff's Complaint [1], her Memorandum Brief [7] in support of her Complaint, and Defendant's Memorandum Brief [8] in opposition to Plaintiff's Complaint, and recommended that the decision of the Commissioner of Social Security be affirmed. *See* Report and Recommendation [9] at 14.

Plaintiff, who is represented by counsel, has not filed any objection to the Magistrate Judge's Report and Recommendation to date. Where no party has objected to a magistrate judge's proposed findings of fact and recommendation, a court need not conduct a *de novo* review of it. *See* 28 U.S.C. § 636(b)(1) (“[A] judge of the court shall make a *de novo* determination of those portions of the report or specified proposed findings and recommendations to which objection is made.”). In such cases, a court need only review the proposed findings of fact and recommendation and determine whether it is either clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

Based on the record before this Court, and having conducted the required review of the Report and Recommendation, the Court is of the opinion that the findings of fact and conclusions of law of the Magistrate Judge are neither clearly erroneous nor contrary to law. *See* 28 U.S.C. § 636(b)(1). The Court finds that the Magistrate Judge properly recommended that the decision of the Commissioner be affirmed. The Court further finds that, for the reasons stated herein, the Report and Recommendation [9] of United States Magistrate Judge Robert H. Walker entered on February 5, 2014, should be adopted as the finding of this Court.

IT IS, THEREFORE, ORDERED AND ADJUDGED that, the Report and Recommendation [9] of United States Magistrate Judge Robert H. Walker entered in this case on February 5, 2014, is adopted as the finding of this Court.

IT IS, FURTHER, ORDERED AND ADJUDGED that, the decision of the Commissioner is **AFFIRMED**. A separate judgment will be entered in accordance with this Order as required by Federal Rule of Civil Procedure 58.

SO ORDERED AND ADJUDGED, this the 17th day of March, 2014.

s/ Halil Suleyman Ozerden

HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE