

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

BELINDA E. CUNNINGHAM

PLAINTIFF

v.

CAUSE NO. 1:15CV379-LG-MTP

**CAROLYN W. COLVIN,
Commissioner of
Social Security**

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

This cause comes before the Court on the [15] Report and Recommendation of United States Magistrate Judge Michael T. Parker. On November 13, 2015, Plaintiff Belinda E. Cunningham, through counsel, filed a [1] Complaint against Carolyn W. Colvin, Commissioner of Social Security, seeking judicial review of the decision to deny her “application for Supplemental Security Income benefits for lack of disability.” (*See id.* at 1 (¶1)). On April 25, 2016, Cunningham filed a [12] Motion for Summary Judgment, to which Commissioner Colvin then filed her [14] Opposition.

On August 23, 2016, Magistrate Judge Parker recommended that this Court deny the Motion for Summary Judgment and affirm the denial of benefits. (*See* Report and Rec. 17, ECF No. 15). Cunningham has not objected to any aspect of the Report and Recommendation, and the time for doing so has now expired.

Where no party has objected to a Magistrate Judge’s Report and Recommendation, the 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, the Court need only review the Report and Recommendation and determine whether it is either clearly erroneous or contrary to law. *See, e.g., United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

Having conducted the required review, the Court is of the opinion that Magistrate Judge Parker’s Report and Recommendation is neither clearly erroneous nor contrary to law. Accordingly, the Court finds that the [15] Report and Recommendation should be adopted as the opinion of this Court.

IT IS THEREFORE ORDERED AND ADJUDGED that the [15] Report and Recommendation of United States Magistrate Judge Michael T. Parker, should be, and hereby is, adopted as the opinion of this Court.

IT IS FURTHER ORDERED AND ADJUDGED that the [12] Motion for Summary Judgment filed by Plaintiff is **DENIED**, and the [1] Complaint filed by Plaintiff is **DISMISSED WITH PREJUDICE**. A separate judgment will be entered.

SO ORDERED AND ADJUDGED this the 15th day of September, 2016.

s/ Louis Guirola, Jr.
LOUIS GUIROLA, JR.
CHIEF U.S. DISTRICT JUDGE