

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

DOMINIC JOSEPH BROUSSARD

PLAINTIFF

v.

CIVIL ACTION NO. 1:15CV430-HSO-RHW

**CAROLYN W. COLVIN,
Acting 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 [17] of United States Magistrate Judge Robert H. Walker entered on January 24, 2017. Judge Walker reviewed the entire record of the proceedings below and controlling law, and recommended that the decision of the Commissioner of Social Security be affirmed. *See R. & R. [17] at 9-10.*

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, 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 [17] of United States Magistrate Judge Robert H. Walker entered on January 24, 2017, should be adopted as the finding of this Court.

IT IS, THEREFORE, ORDERED AND ADJUDGED that, the Report and Recommendation [17] of United States Magistrate Judge Robert H. Walker entered in this case on January 24, 2017, 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 22nd day of February, 2017.

Halil Suleyman Ozerdan
HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE