

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

ROXANNE DONER,

Plaintiff,

-vs-

7:13-CV-720
(TJM/TWD)

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

**Thomas J. McAvoy,
Senior United States District Judge**

DECISION and ORDER

This matter was referred to the Honorable Thérèse Wiley Dancks, United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and Rule 72.3(d) of the Local Rules of the Northern District of New York. In her Report-Recommendation, dated August 8, 2014, Magistrate Judge Dancks recommended that the Commissioner's decision be affirmed. The essence of Magistrate Judge Dancks's opinion is that the correct law was applied and the decision of the Administrative Law Judge ("ALJ") was supported by substantial evidence. The Plaintiff has filed timely objections to the Report-Recommendation.

When objections to a magistrate judge's Report-Recommendation are lodged, the Court reviews the record *de novo*. See 28 U.S.C. § 636(b)(1). After such a review,

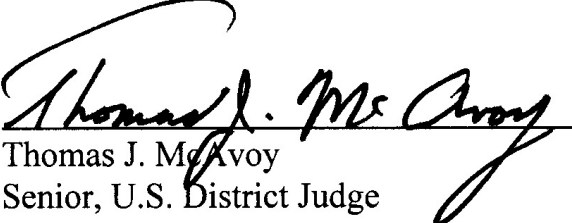
the Court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The Court may also receive further evidence or recommit the matter to the magistrate judge with instructions.” Id. Thus, the Court reviews the instant matter *de novo*.

Having reviewed the record *de novo* and having considered the issues raised in the Plaintiff’s objections, this Court has determined to adopt the recommendation of Magistrate Judge Wiley Dancks for the reasons stated in the Report-Recommendation. Therefore:

- (1) The Plaintiff’s objections, dkt. #5, are Overruled;
- (2) The Magistrate Judge’s Report-Recommendation, dkt. #14, is Adopted; and
- (3) The Commissioner’s decision is Affirmed.

IT IS SO ORDERED.

Dated: September 24, 2014


Thomas J. McAvoy
Senior, U.S. District Judge