

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

CATHY PETRO,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-16-644-D
	)	
CAROLYN W. COLVIN, Acting	)	
Commissioner of the Social Security	)	
Administration,	)	
	)	
Defendant.	)	

**ORDER**

Plaintiff Cathy Petro brought this action pursuant to 42 U.S.C. §§ 405(g) and 423(d)(1)(A) for review of the defendant Acting Commissioner of the Social Security Administration’s final decision that Plaintiff was not “disabled” under the terms of the Social Security Act. The matter was referred to United States Magistrate Judge Suzanne Mitchell for initial proceedings in accordance with 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). The parties briefed their respective positions and, on January 4, 2017, the Magistrate Judge filed her Report and Recommendation [Doc. No. 16] in which she recommended an entry of judgment affirming the Acting Commissioner’s final decision.

In her Report and Recommendation, the Magistrate Judge advised the parties of the right to file objections to the same and directed the parties to file any objections no later than January 24, 2017. The Magistrate Judge further admonished the parties that failure to timely object would constitute a waiver of the right to appellate review of the factual and legal

issues addressed in the Report and Recommendation. The deadline for filing objections has expired and to date, neither party has filed an objection or sought an extension of time in which to do so. Accordingly, the Report and Recommendation [Doc. No. 16] is **ADOPTED** as though fully set forth herein.

IT IS THEREFORE ORDERED that the final decision of the Acting Commissioner is hereby **AFFIRMED**. A separate judgment will follow.

IT IS SO ORDERED this 27<sup>th</sup> day of January, 2017.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE