

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

DAVID GROVER SNEARLY,)	
)	
Plaintiff,)	
vs.)	NO. CIV-16-1302-HE
)	
NANCY A. BERRYHILL,)	
Acting Commissioner of the)	
Social Security Administration,)	
)	
Defendant.)	

ORDER

Plaintiff David Grover Snearly filed this action seeking judicial review of the final decision of the Acting Commissioner of the Social Security Administration denying his applications for disability insurance benefits and supplemental security income benefits. Consistent with 28 U.S.C. § 636(b)(1)(B), the case was referred to Magistrate Judge Gary M. Purcell, who recommends that the Commissioner’s decision be affirmed.

Plaintiff filed his applications for benefits and, when they were denied initially and on reconsideration, he requested a hearing before an Administrative Law Judge (“ALJ”). The ALJ issued an unfavorable decision on June 24, 2015, after a hearing. When the Appeals Council denied plaintiff’s request for review, the ALJ’s decision became the final decision of the Commissioner.

Plaintiff failed to object to the Report and Recommendation. He thereby waived his right to appellate review of the factual and legal issues it addressed. Casanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010); *see* 28 U.S.C. §636(b)(1)(C).

Accordingly, the court adopts Magistrate Judge Purcell's Report and Recommendation. The Commissioner's decision is **AFFIRMED**.

IT IS SO ORDERED.

Dated this 15th day of August, 2017.



JOE HEATON
CHIEF U.S. DISTRICT JUDGE