

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

BARBARA WRIGHT,)	
)	
Plaintiff,)	
vs.)	NO. CIV-17-0221-HE
)	
NANCY A. BERRYHILL,)	
Acting Commissioner of the)	
Social Security Administration,)	
)	
Defendant.)	

ORDER

Plaintiff Barbara Wright filed this action seeking judicial review of the final decision of the Acting Commissioner of the Social Security Administration denying her applications for disability insurance benefits and supplemental security income. Consistent with 28 U.S.C. § 636(b)(1)(B), the case was referred to Magistrate Judge Bernard M. Jones. He has issued a Report and Recommendation recommending that the Commissioner’s decision be affirmed.

The Administrative Law Judge (“ALJ”) reviewed this matter after it was remanded due to his failure to properly evaluate plaintiff’s anxiety.¹ On December 14, 2016, the ALJ again issued an unfavorable decision. Because plaintiff did not seek further review by the Appeals Council and it did not assume jurisdiction, the ALJ’s decision became the final decision of the Commissioner.

¹ *Wright v. Colvin*, No. 14-1046-W (W.D. Okla. Oct. 29, 2015) (Doc. #26).

Plaintiff failed to object to the Report and Recommendation. She thereby waived her 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 Jones's Report and Recommendation. The Commissioner's decision is **AFFIRMED**.

IT IS SO ORDERED.

Dated this 18th day of October, 2017.



JOE HEATON
CHIEF U.S. DISTRICT JUDGE