

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

ROSEMARY COSTA,

Plaintiff,

No. 3:10-cv-00786-JE

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

ORDER

Defendant.

HERNANDEZ, District Judge:

Magistrate Judge John Jelderks issued a Findings and Recommendation (#16) on January 31, 2012, in which he recommends the Court affirm the Commissioner's decision denying Plaintiff's application for benefits.

Plaintiff has timely filed objections to the Findings and Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

I have carefully considered Plaintiff's objections and conclude that the objections do not provide a basis to modify the Findings and Recommendation. I have also reviewed the pertinent portions of the record *de novo* and find no error in the Magistrate Judge's Findings and Recommendation.

#### CONCLUSION

The Court ADOPTS Magistrate Judge Jelderks's Findings and Recommendation [#16] and, therefore, AFFIRMS the Commissioner's decision denying Plaintiff's application for benefits.

IT IS SO ORDERED.

DATED this 21st day of March, 2012.

/s/ Marco A. Hernandez  
MARCO A. HERNANDEZ  
United States District Judge