

FILED 09 MAR 20 15:44 USC-CPE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JACLYN S. RICHARDS,
Plaintiff,

Civ. No. 07-1056-TC

ORDER

v.

MICHAEL J. ASTRUE, Commissioner
of Social Security,

Defendant.

AIKEN, Judge:


On January 15, 2009, Magistrate Judge Coffin filed his Findings and Recommendation, finding that the Commissioner's decision denying disability benefits was supported by substantial evidence in the record and recommending that the Commissioner's decision be affirmed. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v.

Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Plaintiff filed timely objections to the Findings and Recommendation. I have, therefore, given de novo review of Judge Coffin's opinion. I agree that the Commissioner's ruling at step two, that plaintiff's impairments are non-severe and did not significantly affect her ability to perform work activities, is supported by substantial evidence in the record. Accordingly, I find no error.

Accordingly, IT IS HEREBY ORDERED that Magistrate Judge Coffin's Findings and Recommendation (doc. 38) filed January 15, 2009 is ADOPTED, and the decision of the Commissioner is AFFIRMED. IT IS SO ORDERED.

Dated this 20 day of March, 2009.



Ann Aiken
United States District Judge