

made by the magistrate.”¹ The Court has carefully considered the administrative record and the R&R, and agrees with the Magistrate Judge’s recommendation. The ALJ considered the evidence of Plaintiff’s impairments, including the testimony of the treating psychiatrist, Dr. Zemanek, and explained the reasons for the decision. The standard is not whether the Court would have reached the same decision as the ALJ but whether the ALJ’s decision is supported by substantial evidence. The Court agrees with the Magistrate Judge that it is.

AND NOW, this 30th day of May 2013, after careful review and independent consideration of the administrative record, and of the Report and Recommendation of United States Magistrate Judge Jacob P. Hart, to which no objections have been filed, it is hereby **ORDERED** that:

1. The Clerk of Court is directed to remove this action from the suspense docket and return it to the active docket;
2. The Report and Recommendation is **APPROVED and ADOPTED**; and
3. Plaintiff’s Petition for Review is **DENIED**.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.

¹ Henderson v. Carlson, 812 F.2d 874, 878 (3d Cir. 1987).