

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

RAYMOND ORTIZ, JR.,	:	CIVIL ACTION NO. 1:14-CV-1457
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
CAROLYN COLVIN,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 9th day of September, 2015, upon consideration of the report (Doc. 17) of Magistrate Judge Karoline Mehalchick, recommending the court dismiss the appeal (Doc. 1) of plaintiff Raymond Ortiz, Jr., (“Ortiz”), from the decision of the administrative law judge (“ALJ”) denying his application for disability insurance benefits and supplemental security income, and, following an independent review of the record, the court being in full agreement with Judge Mehalchick that the ALJ’s decision is supported by substantial evidence, see 42 U.S.C. § 405(g) (“The findings of the [Commissioner] as to any fact, if supported by substantial evidence, shall be conclusive.”); see also Fargnoli v. Massanari, 247 F.3d 34, 38 (3d Cir. 2001) (“Where . . . findings of fact are supported by substantial evidence, [the district court] is bound by those findings, even if [the court] would have decided the factual inquiry

differently.”), and the court noting that Ortiz filed objections¹ (Doc. 18) to the report, and the Commissioner of Social Security filed a response (Doc. 19), and the court finding Judge Mehalchick’s analysis to be thorough, well-reasoned, and fully supported by the record, and the court further finding Ortiz’s objections to be without merit and squarely addressed by the report, it is hereby ORDERED that:

1. The report (Doc. 17) of Magistrate Judge Mehalchick is ADOPTED.
2. The decision of the Commissioner of Social Security (“Commissioner”) denying the application for disability insurance benefits and supplemental security income of Raymond Ortiz, Jr., is AFFIRMED.
3. The Clerk of Court shall enter judgment in favor of the Commissioner and against Raymond Ortiz, Jr., as set forth in paragraph 2.
4. The Clerk of Court is further directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania

¹ When a party objects to a magistrate judge’s report and recommendation, the district court performs a *de novo* review of the contested portions of the report. See Behar v. Pa. Dep’t of Trans., 791 F. Supp. 2d 383, 389 (M.D. Pa. 2011) (citing Sample v. Diecks, 885 F.2d 1099, 1106 n.3 (3d Cir. 1998); 28 U.S.C. § 636(b)(1)(C)). The court reviews the uncontested portions of the report for “clear error on the face of the record.” Cruz v. Chater, 990 F. Supp. 375, 376-78 (M.D. Pa. 1998).