

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

LYNN MORRIS,

Plaintiff,

V.

CAROLYN W. COLVIN,<sup>1</sup> Acting  
Commissioner of Social Security,

Defendant.

C.A. No. 11-625 S

**ORDER**

On February 1, 2013, United States Magistrate Judge Patricia A. Sullivan issued a Report and Recommendation (ECF No. 12) in the above-captioned matter. Judge Sullivan recommended that this Court deny Plaintiff's Motion to Reverse (ECF No. 9), and grant Defendant's Motion to Affirm (ECF No. 11). Plaintiff Lynn Morris objects to Judge Sullivan's Report and Recommendation (ECF No. 13), arguing that the Administrative Law Judge ("ALJ") improperly discounted the credibility of her statements regarding pain. After reviewing the record, however, the Court finds that the ALJ's credibility finding was supported by substantial evidence. Contrary to Plaintiff's contentions, the ALJ did not ignore the fact that Plaintiff underwent a nerve

<sup>1</sup> Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to 42 U.S.C. § 405(g), the present suit may continue notwithstanding this change.

study as well as a series of injections to address her back pain. Indeed, the ALJ's opinion specifically refers to both the nerve study (Tr. 17) and the injections (Tr. 18). More importantly, as Judge Sullivan pointed out in her Report and Recommendation, the ALJ's adverse credibility determination was not based solely on the lack of objective medical evidence to support Plaintiff's complaints. Rather, the ALJ also expressly considered Plaintiff's own descriptions of her daily activities (Tr. 16, 18) and her testimony that she does not take prescribed medications for pain (Tr. 18). Because this Court agrees with Judge Sullivan's conclusion that the ALJ's credibility finding is supported by substantial evidence, it adopts her Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1). Plaintiff's Motion to Reverse is DENIED, and Defendant's Motion to Affirm is GRANTED.

IT IS SO ORDERED.

/s/ William E. Smith

William E. Smith  
United States District Judge  
Date: March 13, 2013