IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Jennifer Bufford, Plaintiff, vs. Michael J. Astrue, Commissioner of Social Security Administration, Defendant.	)	Civil Action No. 0:09-cv-3316-RMG **ORDER**

Plaintiff filed this action seeking judicial review of a final decision of Defendant Commissioner of Social Security denying Plaintiff's application for Disability Insurance Benefits ("DIB"). In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to a United States Magistrate Judge for pretrial handling. As detailed herein, this Court adopts the Report and Recommendation of the Magistrate Judge.

The Magistrate Judge recommended affirming the decision of the Commissioner denying benefits. (Dkt. No. 14). Plaintiff, who is represented by counsel, has not objected.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *See Mathews v. Weber*, 423 U.S. 261, 96 S.Ct. 549, 46 L.Ed.2d 483 (1976). The court is charged with making a *de novo* determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the

Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b).

Having conducted a review of the Magistrate's report for any errors of law and finding none, this Court adopts the R&R of the Magistrate Judge as the Order of this Court and incorporates it by reference herein. Substantial evidence is defined as " . . . evidence which a reasoning mind would accept as sufficient to support a particular conclusion." *Shively v. Heckler*, 739 F.2d 987, 989 (4th Cir. 1984). Under this standard, the record contains substantial evidence to support the conclusion of the Commissioner that the Plaintiff was not disabled within the meaning of the Social Security Act during the relevant time period. Thus, based on the above and the grounds set forth in the Magistrate Judge's R&R, the denial of benefits is **affirmed**.

AND IT IS SO ORDERED.

Richard Mark Gergel
United States District Court Judge

January 27, 2011
Charleston, South Carolina