

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

Brian E. Wooten,

Plaintiff,

vs.

Michael J. Astrue, Commissioner
of Social Security Administration,

Defendant.

Civil Action No. 1:11-705-RMG


ORDER

This matter is before the Court upon the recommendation of Magistrate Judge Shiva V. Hodges that the decision of the Defendant denying Social Security benefits to Plaintiff be affirmed. (Dkt. No. 21). This matter was initially referred to the Magistrate Judge for pre-trial handling pursuant to 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C. The Magistrate Judge issued a Report and Recommendation (“R & R”) on July 11, 2012 and advised the parties that any objections to the R & R must be filed within 14 days of service. (Dkt. No. 21 at 33). The parties were further advised that a failure to file specific objections to the R & R would result in limited review by the Court and a waiver of the right to appeal. *Id. See also, Diamond v. Colonial Life and Accident Insurance Company*, 416 F.3d 310, 315 (4th Cir. 2005). Neither party has filed objections to the Magistrate Judge’s R & R.

The Court has reviewed the record in this matter, the decision of the Administrative Law Judge (which became the decision of the Commissioner after denial of review by the Appeals Council), the R & R of the Magistrate Judge and the applicable law. The Court finds that the

Magistrate Judge has ably and thoroughly addressed the factual and legal issues in this appeal. Consequently, the Court hereby **ADOPTS** the Report and Recommendation of the Magistrate Judge as the order of the Court and **AFFIRMS** the decision of the Commissioner.

AND IT IS SO ORDERED.



Richard Mark Gergel
United States District Judge

August 1, 2012
Charleston, South Carolina