

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

MICHELLE R. HIGHLAND,)
)
 Plaintiff,)
)
 vs.) Case No. 1:13-cv-02923-TLW
)
 COMMISSIONER OF SOCIAL)
 SECURITY ADMINISTRATION,)
)
 Defendant.)
 _____)

ORDER

Plaintiff Michelle R. Highland brought this action pursuant to 42 U.S.C. § 405(g) and § 1383(c)(3) to obtain judicial review of the Commissioner of the Social Security Administration’s (“Defendant”) final decision denying her claims for disability insurance benefits and supplemental security income. This matter is before the Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Shiva V. Hodges, to whom this case was assigned pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2)(a), (D.S.C.). In the Report, the Magistrate Judge recommends that this Court affirm Defendant’s decision. (Doc. #15). Plaintiff filed objections to the Report on September 29, 2014 (Doc. #17), and Defendant filed a reply thereto on October 17, 2014 (Doc. #18). The matter is now ripe for disposition.

In conducting this review, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a de novo determination of those portions of the report or specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a de

novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case, the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Housing Auth. of the City of Columbia, 791 F. Supp. 137, 138 (D.S.C. 1992)

(citations omitted).

The Court has carefully reviewed the Report, Plaintiff's objections, and Defendant's reply thereto in accordance with this standard. It is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED** (Doc. #15) and that Plaintiff's objections are **OVERRULED** (Doc. #17). For the reasons articulated by the Magistrate Judge, the Commissioner's decision is **AFFIRMED**.

IT IS SO ORDERED.

s/ Terry L. Wooten

Terry L. Wooten
Chief United States District Judge

January 8, 2015
Columbia, South Carolina