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

William J. Mason, Plaintiff, vs. Carolyn W. Colvin, Commissioner of Social Security, Defendant.	Civil Action No. 9:12-1157-TLW-BM **ORDER**

Plaintiff has brought this action to obtain judicial review of a final decision of the defendant, Commissioner of Social Security, denying his claims for disability benefits. This matter is before the Court for review of the Report and Recommendation ("the Report") filed by United States Magistrate Judge Bristow Marchant, to whom this case had previously been 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 the Commissioner's decision be affirmed. The Report was filed on April 23, 2013. Plaintiff filed objections to the Report on May 10, 2013. Defendant filed a response to Plaintiff's objections on May 28, 2013.

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).

In light of this standard, the Court has reviewed, de novo, the Report and the objections thereto. This Court has carefully considered all of the arguments asserted by the Plaintiff. Specifically, with regards to the alleged onset date of disability and whether or not a scrivener's error was committed, the Court finds the Plaintiff's position to be without sufficient legal merit and unsupported by the evidence of record. After careful consideration, the Court determines that the medical records support the Administrative Law Judge's conclusion that there was no disability during the relevant time period. Accordingly, this Court agrees with the Magistrate Judge's determination that the Commissioner's decision is supported by substantial evidence.

After a thorough review of the record, the Report, and Plaintiff's objections in accordance with the standard set forth above, and for the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report is **ACCEPTED** (Doc. # 17), Plaintiff's objections are **OVERRULED** (Doc. # 19), and the decision of the Commissioner is **AFFIRMED**.

IT IS SO ORDERED.

s/ Terry L. Wooten
TERRY L. WOOTEN
CHIEF UNITED STATES DISTRICT JUDGE

August 8, 2013
Florence, South Carolina