

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

PIERRE WRIGHT,)	
)	
Plaintiff,)	
)	Case No. 2:18-cv-2390-JPM-dkv
v.)	
)	
NANCY A. BERRYHILL, Acting)	
Commissioner of Social Security)	
)	
Defendant.)	

**ORDER ADOPTING REPORT AND RECOMMENDATION,
AFFIRMING DECISION OF THE COMMISSIONER,
AND
DISMISSING ACTION WITH PREJUDICE**

Before the Court is pro se Plaintiff Pierre Wright’s complaint filed on June 7, 2018, in which he seeks judicial review of the denial of his claim for disability insurance benefits under Title II of the Social Security Act, 42 U.S.C. § 401, *et seq.* (ECF No. 1.) The Magistrate Judge entered a Report and Recommendation on April 22, 2019 in which she submitted that the decision of the Commissioner of Social Security (“the Commissioner”) be affirmed. (ECF No. 18 at PageID 472.) Wright has not filed an objection.

Upon reference, the Magistrate Judge may submit proposed findings of fact and dispositive recommendations to the Court. 28 U.S.C. § 636(b)(1)(B). “Within 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations.” Fed. R. Civ. P. 72(b)(2); see also 28 U.S.C. § 636(b)(1). A district court reviews *de novo* only those proposed findings

of fact or conclusions of law to which a party specifically objects. Id.; see also Fed. R. Civ. P. 72(b)(3). The Court reviews the Magistrate Judge's report for clear error, because no objections have been filed in this case.

Wright is twenty-nine years old. (R. at 159.) Wright applied for disability benefits on January 18, 2014, alleging that schizophrenia, depression, and lower extremity pain and weakness limited his ability to work. (Id. 190.) After an evidentiary hearing, an Administrative Law Judge ("ALJ") denied Wright's claim on August 16, 2017. (Id. at 13-24.) The Social Security Appeals Council denied Wright's request for review on April 13, 2018. (Id. at 1-5.) Wright filed this lawsuit on June 7, 2018. (ECF No. 1.)

The ALJ found that Wright was capable of "light work involving simple and routine tasks." (R. at 19.) To support this conclusion, the ALJ noted that Wright's medical records showed that Wright has a normal gait and range of motion in all extremities. (Id. at 21.) The ALJ also placed "partial weight" on the conclusion of the psychological evaluator who opined that Wright "had no severe psychological impairment." (Id. at 21.) The ALJ also stated that Wright had failed to meet his burden as to a showing of psychological impairment, because he did not submit records for a continuous twelve-month period. (Id.) A vocational expert testified that Wright was capable of performing jobs that exist in significant numbers in the economy, including as a packager, laundry laborer, or a cashier. (Id. at 23, 41.) Relying upon these and other findings, the ALJ denied Wright's claim. (Id. at 24.)

Upon a clear error review of the Magistrate Judge's Report and Recommendation and an examination of the entire record in this case, the Court ADOPTS the Magistrate Judge's finding that there is substantial evidence to support the Commissioner's decision. See 42

U.S.C. § 405(g); Barker v. Shalala, 40 F.3d 789, 794 (6th Cir. 1994). (ECF No. 18 at PageID 486.) The Court further ADOPTS the Magistrate Judge's recommendation that the Commissioner's decision be AFFIRMED. (ECF No. 18 at PageID 487.) This action is DISMISSED WITH PREJUDICE.

SO ORDERED, this 29th day of May, 2019.

/s/ Jon McCalla
JON P. McCALLA
UNITED STATES DISTRICT JUDGE