
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

ETHEL J. SEBILE,

Plaintiff,

versus

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

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CIVIL ACTION NO. 1:17-CV-316

ORDER OVERRULING OBJECTIONS AND ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

The Plaintiff requests judicial review of a final decision of the Commissioner of Social Security Administration with respect to her application for disability-based benefits. This matter has been referred to the Honorable Keith Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge submitted a report recommending that the decision of the Commissioner be affirmed. The court has considered the report and recommendation filed on July 13, 2018 (Doc. No. 18), and the Plaintiff's objections (Doc. No. 19). The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. See Fed. R. Civ. P. 72(b). After careful consideration, the court concludes that the Plaintiff's objections are without merit. Therefore, the court **ACCEPTS** the magistrate judge's recommendation, **OVERRULES** the Plaintiff's objections, and **AFFIRMS** the Commissioner's denial of benefits.

Plaintiff objects to the magistrate judge's determination that the ALJ's residual functional capacity properly included all of the limitations resulting from Plaintiff's severe impairments. Plaintiff argues that her peripheral neuropathy and hypertension cause limitations that were not included in her residual functional capacity determination. The magistrate judge correctly

determined that substantial evidence supports the ALJ's treatment of Sebile's severe impairments and took into consideration the effect, or lack of effect, they had on her residual functional capacity. The magistrate judge correctly examined the ALJ's finding that Sebile's subjective complaints were not consistent with the examination notes throughout her medical records showing only moderate difficulties.

The court concludes that the magistrate judge correctly identified and discussed the point of error argued by plaintiff and analyzed the point correctly. The magistrate judge properly examined the entire record to determine that substantial evidence supports the administrative law judge's assessments and determinations and the Commissioner's denial of benefits.

Accordingly, all of the Plaintiffs objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Plano, Texas, this 19th day of September, 2018.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE