

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

DURESNO TAYLOR §  
v. § CIVIL ACTION NO. 2:14cv256  
COMMISSIONER, SOCIAL SECURITY §  
ADMINISTRATION §

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE  
AND ENTERING FINAL JUDGMENT

The Report and Recommendation of the Magistrate Judge, which contains his findings, conclusions, and recommendation for the disposition of this action, has been presented for consideration. The Report and Recommendation recommends that the social security complaint be dismissed with prejudice. Plaintiff has objected to the Magistrate Judge's conclusions that the ALJ's credibility, RFC, and Step Five findings are supported by substantial evidence and that the ALJ correctly applied the applicable legal standards in making those findings.

In support of his objections, Plaintiff argues, as he did in his brief, that the ALJ considered only the opinions of non-examining sources Dr. Rosenstock, Dr. Rowley, Dr. Durfor, and Dr. Murphy. Plaintiff contends that "the ALJ did not even consider the medical record opinions of any consultative or examining sources." However, the ALJ's decision makes clear that more than merely the opinion evidence of these physicians was considered. This decision set out the medical evidence in great detail and stated that the RFC assessment was supported by the objective medical evidence, the relevant hearing testimony, and the opinion evidence. Substantial evidence supported the ALJ's conclusions. Plaintiff's objections are without merit.

The Court has conducted a careful *de novo* review of those portions of the Magistrate Judge's proposed findings and recommendations to which objection was made. *See* 28 U.S.C. §636(b)(1) (district judge shall "make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.") Upon such *de novo* review,

the Court has determined that the Report of the Magistrate Judge is correct and the Plaintiff's objections are without merit. It is accordingly

**ORDERED** that Plaintiff's objections are overruled and the Report of the Magistrate Judge (docket no. 23) is **ADOPTED** as the opinion of the District Court. It is further

**ORDERED** that the decision of the Commissioner is **AFFIRMED** and the Plaintiff's complaint is **DISMISSED WITH PREJUDICE**. Finally, it is

**ORDERED** that any motion not previously ruled on is **DENIED**.

**So Ordered and Signed on this**

**Sep 16, 2015**

  
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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE