

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ROBIN FAITH SERFASS	§	
	§	
vs.	§	CIVIL ACTION NO. 6:15cv794
	§	
COMMISSIONER, SOCIAL SECURITY ADMINISTRATION	§	
	§	

**ORDER ADOPTING REPORT AND
RECOMMENDATION OF THE UNITED
STATES MAGISTRATE JUDGE**

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this action, has been presented for consideration. The Report and Recommendation recommends that the decision of the Commissioner be affirmed and that the complaint be dismissed with prejudice. Plaintiff filed written objections on March 3, 2017.

Having made a *de novo* review of the objection filed by Plaintiff, the findings, conclusions and recommendation of the Magistrate Judge are correct and Plaintiff's objection is without merit. As fully described in the Report and Recommendation, there is substantial evidence in the record supporting the Commissioner's decision and the ALJ applied the correct legal standards. Plaintiff asserts a conclusory allegation that the ALJ did not give weight to three medical sources out of six, but she does not identify the medical sources. The ALJ's RFC finding specifically addressed the medical evidence and opinions from Dr. Newberry, Dr. Rehman, Dr. Plan, and Dr. Whitmer and the records from Good Shepherd Medical Center. The ALJ also stated that he apportioned some weight to the DDS physical assessments. Plaintiff's objection does not show that the ALJ

failed to apply the applicable legal standard, as alleged. The ALJ's opinion thoroughly explained his credibility finding and applied the correct legal standard. The findings and conclusions of the Magistrate Judge are, therefore, adopted as those of the Court. It is

ORDERED that Plaintiff's objection is **OVERRULED**. The decision of the Commissioner is **AFFIRMED** and this Social Security action is **DISMISSED WITH PREJUDICE**. It is further

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

So **ORDERED** and **SIGNED** this **6** day of **March, 2017**.



Ron Clark, United States District Judge