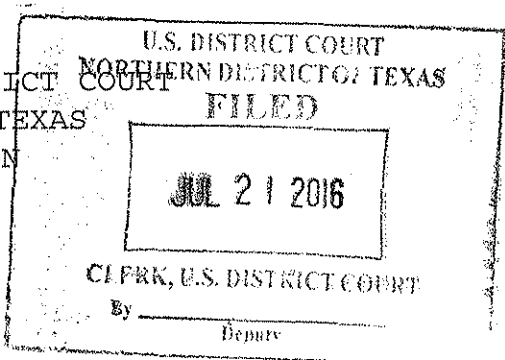


IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION



REGINA ANNETTE THOMPSON, §
Plaintiff, §

VS. § NO. 4:15-CV-949-A

CAROLYN W. COLVIN, ACTING §
COMMISSIONER, SOCIAL SECURITY §
ADMINISTRATION, §
Defendant. §

MEMORANDUM OPINION
and
ORDER

Came on for consideration the above-captioned action wherein Regina Annette Thompson is plaintiff and the Acting Commissioner of Social Security, currently Carolyn W. Colvin, ("Commissioner") is defendant. This is an action for judicial review of a final decision of the Commissioner denying plaintiff's claims for a period of disability and disability insurance benefits and for supplemental security income benefits under the Social Security Act. On June 27, 2016, the United States Magistrate Judge issued his proposed findings and conclusions and his recommendation ("FC&R"), and granted the parties until July 11, 2016, in which to file and serve any written objections thereto. On July 12, 2016, plaintiff filed her objections. On July 20, 2016, the Commissioner filed her response to the objections.

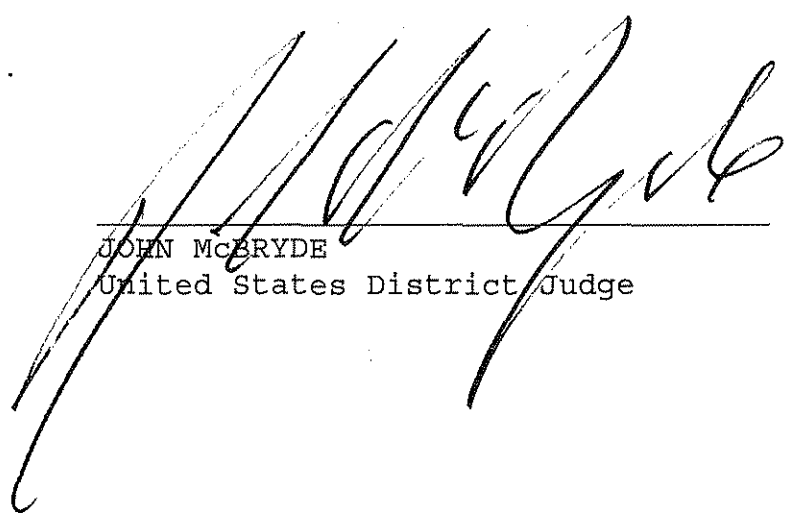
Plaintiff complains about the Magistrate Judge's assessment of the ALJ's treatment of the opinions of the consultative examiner, Dr. Phillips. The court agrees with the Commissioner that the Magistrate Judge properly considered the record and the ALJ's findings. The ALJ incorporated some of Dr. Phillips's findings and rejected others that were not supported by the record. For example, Dr. Phillips opined that plaintiff was unable to view a computer screen, Tr. at 650, when plaintiff herself said that she was on her computer daily, id. at 338, 342. Further, Dr. Phillips noted that plaintiff could sit for eight hours, stand for one hour, and walk for one hour in an eight hour workday. Tr. at 648. This is consistent with the finding that plaintiff could perform sedentary work. Each of plaintiff's objections--and the bulk of them are a rehash of issues raised in her initial brief--is refuted by the record. The court, having made a de novo review of the record, is satisfied that plaintiff's objections lack merit and that the recommendation of the magistrate judge should be accepted. The record supports the decision of the Commissioner.

Therefore,

The court accepts the recommendation of the magistrate judge and ORDERS that the decision of the Commissioner that, based on the application for a period of disability and disability

insurance benefits protectively filed on August 20, 2012, plaintiff, Regina Annette Thompson, is not disabled under sections 216(i) and 223(d) of the Social Security Act, and based on the application for supplemental security income protectively filed on August 20, 2012, plaintiff is not disabled under section 1614(a)(3)(A) of the Social Security Act, be, and is hereby, affirmed.

SIGNED July 21, 2016.



JOHN McBRYDE
United States District Judge