

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

ONITA ANN FOSTER, §
 Plaintiff, §
 VS. § NO. 4:16-CV-961-A
 NANCY A. BERRYHILL, ACTING §
 COMMISSIONER, SOCIAL SECURITY §
 ADMINISTRATION,¹ §
 Defendant. §

ORDER

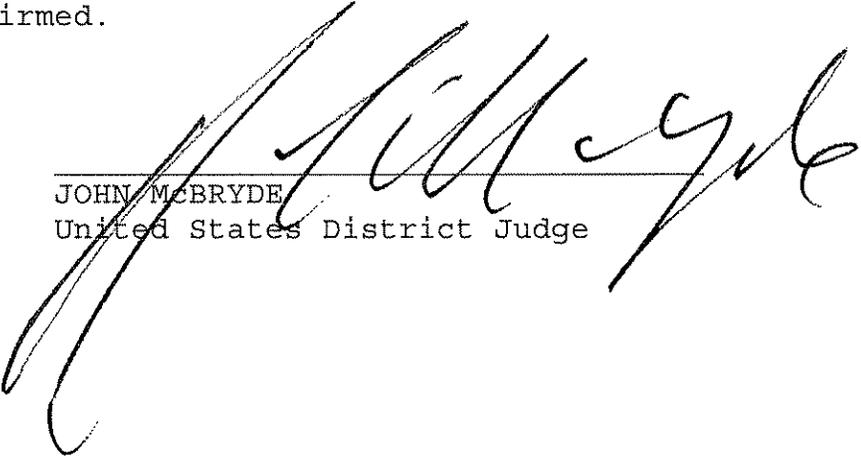
Came on for consideration the above-captioned action wherein Onita Ann Foster, is plaintiff and the Acting Commissioner of Social Security, currently Nancy A. Berryhill, ("Commissioner") is defendant. This is an action for judicial review of a final decision of the Commissioner denying plaintiff's claims for a period of disability and disability insurance benefits and supplemental security income. On July 10, 2017, the United States Magistrate Judge issued his proposed findings and conclusions and his recommendation ("FC&R"), and granted the parties until July 24, 2017, in which to file and serve any written objections thereto. To date, neither party has filed objections. Nevertheless, the court has conducted a thorough study of the record, the magistrate judge's proposed findings and conclusions,

¹Nancy A. Berryhill replaced Carolyn W. Colvin as acting commissioner of the Social Security Administration. Therefore, pursuant to Federal Rule of Civil Procedure 25(d), Berryhill is automatically substituted as the party of record.

and applicable legal authorities, and has concluded that the recommendation of the magistrate judge should be accepted.

The court accepts the recommendation of the magistrate judge and ORDERS that the decision of the Commissioner that, based on the applications for a period of disability and disability insurance benefits protectively filed on July 23, 2013, and for supplemental security income protectively filed on November 14, 2013, plaintiff, Onita Ann Foster, is not disabled under any of sections 216(i), 223(d), and 1614(a)(3)(A) of the Social Security Act, be, and is hereby, affirmed.

SIGNED July 25, 2017



JOHN MCBRYDE
United States District Judge