

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

GLADYS MAE SMITH MILLER,)	
)	
Plaintiff,)	
)	
v.)	
)	
NANCY A. BERRYHILL,)	
Acting Commissioner of Social Security,)	
)	
Defendant.)	Civil Action No. 5:16-CV-078-C

ORDER

Plaintiff appealed an adverse decision of Defendant, Nancy A. Berryhill, Acting Commissioner of Social Security, pursuant to 42 U.S.C. § 405(g). The United States Magistrate Judge entered his Report and Recommendation on May 16, 2017. Neither party has filed written objections, and the time to do so has now expired.¹

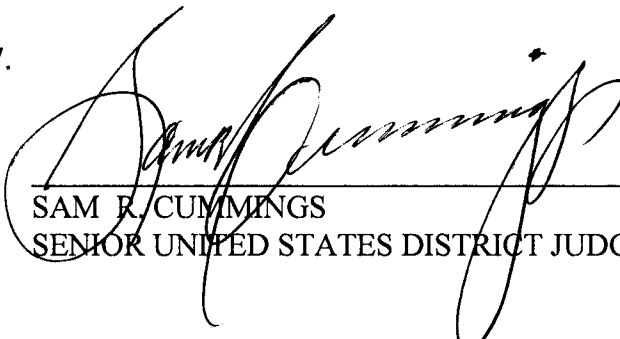
While Miller failed to file any specific objections to the Report and Recommendation, she did file a Motion for Hearing and a Motion for the Appointment of Counsel on May 19, 2017. But Miller has cited no authority standing for the proposition that she is entitled to a hearing on the Report and Recommendation, and the Court is of the opinion that no hearing is necessary. Further, the Court does not make compulsory appointments in civil cases, and Miller has not

¹While Miller’s “Motion for Hearing,” filed May 19, 2017, may be liberally construed as an attempt to object to the Magistrate Judge’s recommendation, it fails to identify any specific objections or points of error. Instead, it states only that Miller disagrees with the Magistrate Judge’s recommendation and desires to “tell the judge for [herself] what really happen (sic) and what didn’t happen.” The Court is of the opinion that this motion is too broad to constitute “specific written objections” under 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b) and therefore finds that no objections have been filed.

presented any argument that she is legally entitled to appointed counsel in this case. Both of Miller's motions are therefore **DENIED**.²

The Court has reviewed the Report and Recommendation for clear error and finds none. It is therefore **ORDERED** that the findings and conclusions in the Report and Recommendation are hereby **ADOPTED** as the findings and conclusions of the Court, that the decision of the Acting Commissioner is **AFFIRMED**, and that the above-styled and -numbered cause is **DISMISSED**.

Dated this 8th day of June, 2017.



SAM R. CUMMINGS
SENIOR UNITED STATES DISTRICT JUDGE

²Miller has not shown how she is entitled to the other miscellaneous relief requested in the body of these motions, such as obtaining a refund or having the Social Security office return certain documents to her, and the Court thus denies these requests as well.