

United States District Court  
Southern District of Texas

**ENTERED**

March 07, 2017

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

ROGELIO ALEMAN GARCIA,

Plaintiff,

VS.

CAROLYN W COLVIN,

Defendant.

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CIVIL ACTION NO. 7:16-CV-119

**ORDER ADOPTING REPORT AND RECOMMENDATION**

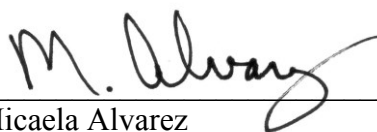
Pending before the Court is Plaintiff Rogelio Aleman Garcia’s action pursuant to 42 U.S.C. § 405(g), seeking review of the denial of his application for disability benefits, which had been referred to the Magistrate Court for a report and recommendation. On January 18, 2017, the Magistrate Court issued the Report and Recommendation, recommending that Plaintiff’s motion for summary judgment be denied and that this action be dismissed. Plaintiff has filed timely objections to the Magistrate Court’s Report and Recommendation.

Pursuant to 28 U.S.C. § 636(b)(1)(c), the Court has made a de novo determination of those portions of the report to which objections have been made. As to those portions to which no objections have been made, in accordance with Federal Rule of Civil Procedure 72(b), the Court has reviewed the report for clear error.

Having reviewed each objection, the Court finds that they are either immaterial or without merit. After considering the record in this case, the parties’ filing and the applicable law, the Court adopts the Report and Recommendation in its entirety. Accordingly it is hereby ORDERED that Plaintiff’s Motion for Summary Judgment is **DENIED** and that this action is **DISMISSED**.

IT IS SO ORDERED.

DONE at McAllen, Texas, this 7th day of March, 2017.



Micaela Alvarez  
United States District Judge