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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DANNA SEARCY	)	
	)	CASE NO. C14-5322-RJB-JLW
Plaintiff,	)	
	)	
v.	)	ORDER AFFIRMING
	)	COMMISSIONER
CAROLYN W. COLVIN, Acting	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	
_____	)	

13 The Court has reviewed the entire record, including the Administrative Record, the  
14 memoranda of the parties, plaintiff’s objections, and the Report and Recommendation of  
15 United States Magistrate Judge John L. Weinberg. It is therefore ORDERED:

16 (1) In her objections, plaintiff maintains that the Report and Recommendation was  
17 in error because (A) both the Report and Recommendation and the ALJ ignored the objective  
18 evidence of annular tears and facet arthropathy, improperly relied on a non-physician record  
19 reviewer instead of the findings of an orthopedist, and failed to properly evaluate MRI results;  
20 (B) there was no affirmative evidence of malingering; and (C) plaintiff’s daily activities did not  
21 show that she had the ability to sustain work, given that there was hard objective evidence of  
22 annular tears and comprehensive lumbar facet arthropathy. Dkt. 24.

01           The court agrees with the magistrate judge who concluded that the ALJ did not err in  
02 assessment of plaintiff's credibility regarding her symptom severity and residual functional  
03 capacity. The Report and Recommendation carefully analyzed plaintiff's claims; the court  
04 agrees with that analysis. The Court adopts the Report and Recommendation;

05           (2) The Court AFFIRMS the decision of the Commissioner; and

06           (3) The Clerk shall direct copies of this Order to all counsel and to Judge Weinberg.

07           DATED this 23<sup>rd</sup> day of December, 2014.

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10           ROBERT J. BRYAN  
11           United States District Judge

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