

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MICHAEL STEPHEN TROMBETTA,

Plaintiff,

v.

Case No: 2:17-cv-382-FtM-38CM

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

_____ /

ORDER¹

Before the Court is United States Magistrate Judge Carol Mirando's Report and Recommendation, recommending that the Commissioner's termination Michael Stephen Trombetta's disability benefits be affirmed under sentence four of [42 U.S.C. § 405\(g\)](#). ([Doc. 24](#)). No party has objected to the Report and Recommendation, and the period to do so has lapsed. This matter is ripe for review.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify the magistrate judge's report and recommendation. See [28 U.S.C. § 636\(b\)\(1\)](#); see also *Williams v. Wainwright*, [681 F.2d 732 \(11th Cir. 1982\)](#). In the absence of specific objections, there is no

¹ Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or websites. These hyperlinks are provided only for users' convenience. Users are cautioned that hyperlinked documents in CM/ECF are subject to PACER fees. By allowing hyperlinks to other websites, this Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their websites. Likewise, the Court has no agreements with any of these third parties or their websites. The Court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the Court.

requirement that a district judge review factual findings *de novo*, [Garvey v. Vaughn](#), 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject, or modify, in whole or in part, the findings and recommendations, 28 U.S.C. § 636(b)(1)(C). The district judge reviews legal conclusions *de novo*, even in the absence of an objection. See [Cooper-Houston v. Southern Ry. Co.](#), 37 F.3d 603, 604 (11th Cir. 1994).

After independently examining the file and on consideration of Judge Mirando's findings and recommendation, the Court accepts and adopts the Report and Recommendation.

Accordingly, it is now

ORDERED:

- (1) United States Magistrate Judge Carol Mirando's Report and Recommendation ([Doc. 24](#)) is **ACCEPTED AND ADOPTED** and the findings incorporated herein.
- (2) The Commissioner of Social Security's decision is **AFFIRMED**.
- (3) The Clerk of the Court is **DIRECTED** to terminate all pending motions and deadlines, enter judgment in favor of the Commissioner, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 23rd day of January, 2019.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record