

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

JIL LABEL

Plaintiff,

v.

Case No. 6:17-cv-617-Orl-37DCI

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

ORDER

In this social security appeal, Plaintiff seeks review of the Commissioner's decision to deny her social security disability benefits. (Doc. 1.) As set forth in U.S. Magistrate Judge Daniel C. Irick's Report and Recommendation ("**R&R**"), Plaintiff contends that the administrative law judge ("**ALJ**") erred in: (1) determining Plaintiff's residual functional capacity ("**RFC**"); (2) failing to propound a hypothetical question reflecting her limitations to the Vocational Expert ("**VE**"); and (3) finding her testimony about her limitations inconsistent with the record. (Doc. 23 ("**R&R**").)

In his R&R, Magistrate Judge Irick rejected Plaintiff's assignments of error related to the ALJ's RFC determination. (*Id.* at 4-12.) Furthermore, Magistrate Judge Irick found no issue with the hypothetical posed to the VE (*id.* at 13-14), and that the ALJ's credibility finding was supported by substantial evidence (*id.* at 14-18). With this, he recommends rejecting Plaintiff's remaining challenges and affirming the Commissioner's final decision. (*Id.* at 12, 14, 18.)

Neither party filed objections, and the time for doing so has now passed. Absent objections, the Court has examined the R&R for clear error. *See Wiand v. Wells Fargo Bank, N.A.*, No. 8:12-cv-557-T-27EAJ, 2016 WL 355490, at *1 (M.D. Fla. Jan. 28, 2016); *see also Marcort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). Finding none, the Court concludes that the R&R is due to be adopted in its entirety.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. U.S. Magistrate Judge Daniel C. Irick's Report and Recommendation (Doc. 23) is **ADOPTED, CONFIRMED**, and made a part of this Order.
2. The Commissioner's decision is **AFFIRMED**.
3. The Clerk is **DIRECTED** to:
 - a. Enter judgment in favor of Defendant Commissioner of Social Security and against Plaintiff Jil Lebel; and
 - b. Close the file.

DONE AND ORDERED in Chambers in Orlando, Florida, on June 15, 2018.




ROY B. DALTON JR.
United States District Judge

Copies to:
Counsel of Record