

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

ASHLEY MARIE JENNINGS,

Plaintiff,

v.

Case No. 6:17-cv-2023-Orl-37TBS

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

ORDER

In this social security appeal, Plaintiff Ashley Marie Jennings (“**Jennings**”) seeks review of the Commissioner’s decision to deny her social security disability benefits. (Doc. 1.) In support, Plaintiff objects to the Administrative Law Judge’s (“**ALJ**”) unfavorable decision from March 8, 2017 to deny her benefits. (*See* Doc. 14.) Jennings asserts that the ALJ applied the incorrect legal standard by failing to properly consider portions of the Comprehensive Vocational Evaluation. (*See id.* at 9–12.)

On referral, U.S. Magistrate Judge Thomas B. Smith recommends affirming the Commissioner’s decision. (Doc. 15 (“**R&R**”).) Specifically, Magistrate Judge Smith disagrees with Jennings’ assertion that the ALJ overlooked favorable evidence, because the ALJ is not required to discuss every piece of evidence in its decision. (*See id.* at 7.) Indeed, Magistrate Judge Smith concluded that that the Commissioner’s decision was made pursuant to the correct legal standard with substantial supporting evidence. (*Id.* at 8.)

The parties did not object to the R&R, and the time for doing so has now passed. Absent objections, the Court has examined the R&R only 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 no clear error, 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 Thomas B. Smith's Report and Recommendation (Doc. 15) is **ADOPTED, CONFIRMED**, and made a part of this Order.
2. The Commissioner's final decision is **AFFIRMED**.
3. The Clerk is **DIRECTED** to enter judgment in favor of Defendant and against Plaintiff and to close this case.

DONE AND ORDERED in Chambers in Orlando, Florida, on June 12, 2018.




ROY B. DALTON JR.
United States District Judge

Copies to:
Counsel of Record