

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

MARY KATHLEEN PHILPOT,

Plaintiff,

v.

Case No. 8:17-cv-2615-T-33AAS

NANCY A. BERRYHILL,
Deputy Commissioner for
Operations, Social Security
Administration,

Defendant.

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ORDER

This matter is before the Court on consideration of United States Magistrate Judge Amanda Arnold Sansone's Amended Report and Recommendation (Doc. # 19), filed on February 7, 2019, recommending that the decision of the Commissioner of Social Security be affirmed. On February 20, 2019, Plaintiff filed an Objection to the Amended Report and Recommendation. (Doc. # 21). The Government declined to file a Response to the Objection. For the reasons that follow, the Court adopts the Report and Recommendation of the Magistrate Judge.

Discussion

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. 28 U.S.C. § 636(b)(1); Williams v.

Wainwright, 681 F.2d 732 (11th Cir. 1982).

In the absence of specific objections, there is no 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); Castro Bobadilla v. Reno, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), aff'd, 28 F.3d 116 (11th Cir. 1994).


Upon due consideration of the record, including Judge Sansone's Amended Report and Recommendation as well as Plaintiff's objection thereto, the Court overrules the objection, adopts the Amended Report and Recommendation, and affirms the Commissioner's decision. The Court agrees with Judge Sansone's detailed and well-reasoned findings of fact and conclusions of law. The Amended Report and Recommendation thoughtfully addresses the issues presented, and the objection does not provide a basis for rejecting the Amended Report and Recommendation.

Accordingly, it is now

ORDERED, ADJUDGED, and DECREED:

- (1) The Amended Report and Recommendation (Doc. # 19) is **ACCEPTED** and **ADOPTED**.
- (2) The decision of the Commissioner of Social Security is **AFFIRMED**.
- (3) The Clerk is directed to enter a Judgment in favor of the Commissioner reflecting that the Commissioner's decision is affirmed. Thereafter, the Clerk is directed to **CLOSE THE CASE**.

DONE and **ORDERED** in Chambers, in Tampa, Florida, this 8th day of March, 2019.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE