UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

OSCAR MACHICOTE,

Plaintiff,

v. **Case No: 6:20-cv-1907-GKS-EJK**

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

ORDER

THIS CAUSE concerns Plaintiff Oscar Machicote's appeal[1] from a final decision[2] of the Defendant, Commissioner of the Social Security Administration (Commissioner), determining that Plaintiff was not disabled and denying his application for Disability Insurance Benefits.[3] Plaintiff and Defendant filed a Joint Memorandum in support of their differing positions (Doc. 22). The Court referred the matter to the United States Magistrate Judge

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[1] Complaint filed October 15, 2020. (Doc. 1).

[2] Decision, April 16, 2020. (Doc. 19-2). Subsequently, on August 12, 2020, the Appeals Council denied Plaintiff's request for a review of the Administrative Law Judge's (ALJ) decision. After exhausting his administrative remedies, Plaintiff filed his Complaint.

[3] The Commissioner filed a certified copy of the record before the Social Security Administration. (*See* Doc. 19.)

for a report and recommendation (Report and Recommendation).

On January 3, 2022, the United States Magistrate Judge issued a Report and Recommendation (Doc. 24), recommending that the Administrative Law Judge's decision be affirmed. Thereafter, Plaintiff filed Objections to the Report and Recommendation (Doc. 25). The Defendant filed a Response to Plaintiff's Objections supporting adoption of the Report and Recommendation (Doc. 26).

After *de novo* review of the portions of the Report and Recommendation (Doc. 24) to which Plaintiff objects, in this case the ALJ's findings are supported by substantial evidence, and the ALJ applied the proper legal analysis to Plaintiff's disability claims. It is hereby **ORDERED** and **ADJUDGED** as follows:

1. United States Magistrate Judge Embry J. Kidd's Report and Recommendation (Doc. 24) is **APPROVED** and **ADOPTED** and is made part of this Order for all purposes, including appellate review.

2. The Commissioner's final decision in this case is **AFFIRMED** under 42 U.S.C. § 405(g).

3. The Clerk of Court is DIRECTED to enter JUDGMENT in favor of Defendant Commissioner and against Plaintiff, Oscar Machicote, and **CLOSE** the case.

DONE AND ORDERED at Orlando, Florida, this 14 day of March ~~February~~, 2022.

G. KENDALL SHARP
SENIOR UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of Record
Unrepresented Parties