

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

ANESHA PARKER,

Plaintiff,

v.

Case No: 8:23-cv-2591-MSS-SPF

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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**ORDER**

**THIS CAUSE** comes before the Court for consideration of the Commissioner's Motion to Dismiss or, in the Alternative, for Summary Judgment. (Dkt. 16) On April 26, 2024, the Court converted the motion into one for summary judgment and gave Plaintiff, proceeding *pro se*, time to respond, (Dkt. 17), which she did. (Dkt. 21) On July 8, 2024, United States Magistrate Judge Sean P. Flynn issued a Report and Recommendation, (Dkt. 24), which recommended the Commissioner's Motion be granted. The Parties have not objected to Judge Flynn's Report and Recommendation, and the deadline for doing so has passed. Upon consideration of all relevant filings, case law, and being otherwise fully advised, the Court **GRANTS** the Commissioner's Motion for Summary Judgment.

In the Eleventh Circuit, a district judge may accept, reject, or modify the magistrate judge's report and recommendation after conducting a careful and complete


review of the findings and recommendations. 28 U.S.C. § 636(b)(1); Williams v. Wainwright, 681 F.2d 732, 732 (11th Cir. 1982). A district judge “shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1)(C). This requires that the district judge “give fresh consideration to those issues to which specific objection has been made by a party.” Jeffrey S. v. State Bd. of Educ., 896 F.2d 507, 512 (11th Cir.1990) (quoting H.R. 1609, 94th Cong. § 2 (1976)). Absent 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., 37 F.3d 603, 604 (11th Cir. 1994).

Upon consideration of the Report and Recommendation, in conjunction with an independent examination of the file, the Court is of the opinion the Report and Recommendation should be adopted, confirmed, and approved in all respects. Accordingly, it is **ORDERED** that:

1. The Report and Recommendation, (Dkt. 24), is **CONFIRMED** and **ADOPTED** as part of this Order.
2. The Commissioner’s Motion for Summary Judgment, (Dkt. 16), is **GRANTED**.

3. The Clerk is **DIRECTED** to terminate any pending motions and **CLOSE** this case.

**DONE** and **ORDERED** in Tampa, Florida, this 29th day of July 2024.



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MARY S. SCRIVEN  
UNITED STATES DISTRICT JUDGE

**Copies furnished to:**  
Counsel of Record  
Any Unrepresented Person