

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JANE E. HERNANDEZ,

Plaintiff,

v.

MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL
SECURITY,¹

Defendant.

ORDER

06-C-0344-C

Plaintiff Jane E. Hernandez has filed objections to the report and recommendation entered herein by United States Magistrate Judge Stephen L. Crocker on February 6, 2007. Plaintiff contends that the magistrate judge erred in concluding that defendant's denial of plaintiff's application for social security disability benefits was supported by the administrative record. She argues that the administrative law judge failed to give adequate consideration to her obesity and its effect upon her ability to perform work and to the report of one doctor who found that her pulmonary obstructive disease prevented her from working

¹ Pursuant to Fed. R. Civ. P. 25(d), Michael J. Astrue, Commissioner of Social Security, is substituted for Linda McMahon, Acting Commissioner of Social Security.

at any occupation. She argues also that the administrative law judge should have required the vocational expert to explain the basis for her deviation from the Dictionary of Occupational Titles.

In a comprehensive report, the magistrate judge explained persuasively and in detail exactly why the administrative law judge's decision was supported by the record and why plaintiff's challenges to the decision do not require a remand for rehearing. It is unnecessary to add to the magistrate judge's exposition of the case.

ORDER

IT IS ORDERED that the recommendation of the United States Magistrate Judge entered on February 6, 2007, is ADOPTED. FURTHER, IT IS ORDERED that the decision of the defendant commissioner Michael J. Astrue to deny plaintiff Jane E. Hernandez's applications for disability insurance benefits and supplemental security income is AFFIRMED.

Entered this 16th day of March, 2007.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge