

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Tivon Humphries v. Commissioner of Social Security Administration

Humphries · No. CV-25-02507-PHX-SPL · Decided April 10, 2026

OPINION

Humphries

PER CURIAM.

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6 IN THE UNITED STATES DISTRICT COURT

7 FOR THE DISTRICT OF ARIZONA

8 Tivon H umphries,) No. CV-25-02507-PHX-SPL) 9) 10 Plaintiff,) ORDER vs.)) 11)
Commissioner of Social Security) 12 Administration,)) 13) 14 Defendant.) 15 Plaintiff filed a
Complaint (Doc. 1), challenging the denial of his disability 16 insurance benefits. The Honorable
Deborah M. Fine, United States Magistrate Judge, 17 issued a Report and Recommendation
("R&R") (Doc. 16), recommending that the Court 18 affirm the Administrative Law Judge's
decision. Judge Fine advised the parties that they 19 had fourteen (14) days to file objections to
the R&R and that failure to do so could be 20 considered a waiver of the right to review (Doc. 16
at 19) (citing 28 U.S.C. § 636(b)(1), 21 U.S. v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003)).
Plaintiff has filed Objections 22 (Doc. 17), and Defendant filed a Response (Doc. 18). 23 A
district judge "may accept, reject, or modify, in whole or in part, the findings or 24
recommendations made by the magistrate judge." 28 U.S.C. § 636(b). When a party files a 25
timely objection to an R&R, the district judge reviews de novo those portions of the R&R 26 that
have been "properly objected to." Fed. R. Civ. P. 72(b). A proper objection requires 27 specific
written objections to the findings and recommendations in the R&R. See United 28 States v.
Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003); 28 U.S.C. § 636(b)(1). It 1 | follows that the
Court need not conduct any review of portions to which no specific objection has been made. See
Reyna-Tapia, 328 F.3d at 1121; see also Thomas v. Arn, 474 U.S. 140, 149 (1985) (discussing the
inherent purpose of limited review is judicial 4} economy). Further, a party is not entitled as of
right to de novo review of evidence or 5 | arguments which are raised for the first time in an
objection to the R&R, and the Court's 6 | decision to consider them is discretionary. United States
v. Howell, 231 F.3d 615, 621-622 (9th Cir. 2000). 8 The Court has carefully undertaken an
extensive review of the sufficiently 9 | developed record. Plaintiff's objections to the findings and
recommendations have also 10 | been considered. 11 After a thorough review, Judge Fine
concluded there was no reversible error in the ALJ's decision regarding Plaintiff's capability of
making a successful adjustment to other 13 | work (Doc. 16 at 5—16) and consideration of
vocational expert testimony (Doc. 16 at □□□□ 18). After conducting a de novo review of the

issues and objections, the Court reaches the 15 | same conclusions reached by the Magistrate Judge. The R&R will be adopted in full. 16 Accordingly, 17 IT IS ORDERED that Magistrate Judge Fine's Report and Recommendation 18 | (Doc. 16) is accepted and adopted by the Court. 19 IT IS FURTHER ORDERED that Plaintiff's Objections (Doc. 17) are overruled. 20 IT IS FURTHER ORDERED that the final decision of the Commissioner of the 21 Social Security Administration 1s affirmed. 22 IT IS FURTHER ORDERED directing the Clerk of Court to enter judgment 23 | accordingly and terminate this case. 24 Dated this 10th day of April, 2026. 25 77 United States District lidge 28