



Specifically, the Magistrate Judge found that the ALJ failed to take the entire record of evidence into account and made prejudicial errors in adjudicating this case.<sup>6</sup>

The Federal Magistrates Act requires a district court to conduct a de novo review only of those portions of a Report and Recommendation to which the parties have made an objection.<sup>7</sup> The Commissioner of Social Security declined to file any objections in this case.<sup>8</sup>

Absent objection, a district court may adopt the magistrate judge's report without review.<sup>9</sup> Moreover, having conducted its own review of the parties' briefs in this case, the Court agrees with the conclusions of Magistrate Judge Kenneth S. McHargh.

Accordingly, the Court **ADOPTS** in whole Magistrate Judge McHargh's findings of fact and conclusions of law and incorporates them fully herein by reference. The Court thus **REMANDS** this case to the Administrative Law Judge for further proceedings.

IT IS SO ORDERED.

Dated: June 13, 2016

s/ \_\_\_\_\_ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE

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<sup>6</sup> Doc. [12](#) at 18-29.

<sup>7</sup> [28 U.S.C. § 636\(b\)\(1\)\(C\)](#).

<sup>8</sup> Doc. [13](#).

<sup>9</sup> [Thomas v. Arn, 474 U.S. 140, 149 \(1985\)](#).