

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

David A. Kenney,

Case No. 3:09 CV 2440

Plaintiff,

MEMORANDUM OPINION  
AND ORDER

-vs-

JUDGE JACK ZOUHARY

Commissioner of Social Security,

Defendant.

The Court has reviewed the Report and Recommendation (R&R) of Magistrate Judge Knepp (Doc. No. 20). Under the relevant statute (28 U.S.C. § 636(C)):

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

In this case, no objections have been filed. The failure to file written objections constitutes a waiver of a *de novo* determination by the district court of an issue covered in the R&R. *United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005).

This Court adopts the R&R (Doc. No. 20) in its entirety. The Commissioner's decision denying disability insurance benefits is affirmed.

IT IS SO ORDERED.

s/ Jack Zouhary  
JACK ZOUHARY  
U. S. DISTRICT JUDGE

December 28, 2010