

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

KARIA L. LANKEN,)	
)	CASE NO. 5:11cv2607
Plaintiff,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
COMMISSIONER OF SOCIAL SECURITY,)	
)	
Defendant.)	<u>MEMORANDUM OF OPINION AND ORDER</u> [Regarding ECF No. 14]

On October 31, 2012, Magistrate Judge James R. Knepp, II issued a report and recommending (“Report and Recommendation” or “R&R”) that the case be reversed and remanded for proceedings consistent with the R&R. [ECF No. 14](#). On November 14, 2012, Defendant filed a Motion for an extension of time to file objections ([ECF No. 15](#)), which the Court granted on November 15, 2012. On November 28, 2012, Defendant filed a Response to the R&R notifying the Court that he would not be filing objections. [ECF No. 16](#).

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. [28 U.S.C. § 636\(b\)\(1\)\(C\)](#). Any further review by the Court would be a duplicative and inefficient use of the Court’s limited resources. [Thomas v. Arn, 728 F.2d 813 \(6th Cir. 1984\), aff’d, Thomas v. Arn, 474 U.S. 140, 145 \(1985\); Howard v. Sec’y of Health and Human Servs, 932 F.2d 505 \(6th Cir. 1991\); U.S. v. Walters, 638 F.2d 947, 949-50 \(6th Cir. 1981\)](#). Parties must file objections to a report and recommendation within fourteen days of service. [Id.](#); [Fed. R. Civ. Pro. 72\(b\)\(2\)](#). Failure to object within this time waives a party’s right to appeal the district court’s

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judgment. [Thomas, 474 U.S. at 145](#). Absent objection, a district court may adopt a magistrate judge's report without review. See [Thomas, 474 U.S. at 149](#).

In the instant case, Defendant has not filed an objection and has indicated he will not file an objection. The Court finds that the magistrate judge's Report and Recommendation is supported by the record, and agrees with the recommendation reversing and remanding the case. Accordingly, the Court reverses and remands the case for proceedings consistent with the Report ([ECF No. 14](#)).

IT IS SO ORDERED.

November 29, 2012
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge