

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Amy Goodwin,	)	CASE NO. 5:24 CV 589
	)	
Plaintiff,	)	JUDGE PATRICIA A. GAUGHAN
	)	
vs.	)	
	)	
Commissioner of Social Security,	)	<u>Memorandum of Opinion and Order</u>
	)	
Defendant.	)	

**INTRODUCTION**

This matter is before the Court on the Report and Recommendation (“R&R”) of Magistrate Judge Darrell A. Clay (Doc. 5), recommending that Plaintiff’s Application to Proceed In Forma Pauperis (Doc. 2) be DENIED. No objections have been filed. For the reasons that follow, the R&R is ACCEPTED. Plaintiff’s Application to Proceed In Forma Pauperis is DENIED.

**STANDARD OF REVIEW**

When objections are made to a Magistrate Judge’s Report and Recommendation, the district court reviews the case *de novo*. Federal Rule of Civil Procedure 72(b)(3) provides that: “The district judge must determine *de novo* any part of the magistrate judge’s disposition that has been properly objected to.” As stated in the Advisory Committee Notes, “When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the

recommendation.” In *Thomas v. Arn*, 474 U.S. 140, 150 (1985), the Court held that “[i]t does not appear that Congress intended to require district court review of a magistrate judge’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings.”

**DECISION**

This Court, having reviewed the R&R and finding no clear error, hereby ACCEPTS the Magistrate Judge’s R&R. In accordance with that recommendation, the Court hereby DENIES Plaintiff’s Application to Proceed In Forma Pauperis. Plaintiff is required to pay the filing fee by June 3, 2024, or this case may be dismissed. *See* 28 U.S.C. § 1914; *see also Knoll v. Am. Tel. & Tel. Co.*, 176 F.3d 359, 362–63 (6th Cir. 1999) (“Rule 41(b) of the Federal Rules of Civil Procedure gives courts the authority to dismiss a case for “failure of the plaintiff to prosecute or to comply with these rules or any order of the court.”).

IT IS SO ORDERED.

Dated: 5/2/24

/s/ Patricia A. Gaughan  
PATRICIA A. GAUGHAN  
United States District Judge