

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

U.S. DISTRICT COURT
DISTRICT OF VERMONT
FILED

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TIFFANY AMANDA THOMPSON,)
)
Plaintiff,)
)
v.)
)
CAROLYN W. COLVIN,)
Acting Commissioner of Social Security,)
)
Defendant.)

Case No. 5:13-cv-275

**OPINION AND ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

(Docs. 11, 14 & 19)

This matter came before the court for a review of the Magistrate Judge's October 16, 2014 Report and Recommendation ("R & R"). Plaintiff has filed a motion to reverse the decision of the Commissioner. (Doc. 11.) Defendant opposes the motion and has filed a cross motion for an order affirming the decision of the Commissioner. (Doc. 14.) Neither party has objected to the R & R, and the deadline for doing so has expired.

A district judge must make a *de novo* determination of those portions of a magistrate judge's report and recommendation to which an objection is made. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1); *Cullen v. United States*, 194 F.3d 401, 405 (2d Cir. 1999). The district judge may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1); *accord Cullen*, 194 F.3d at 405. A district judge, however, is not required to review the factual or legal conclusions of the magistrate judge as to those portions of a report and recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). 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. *See*

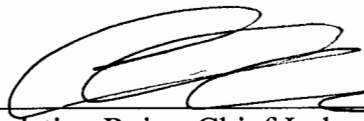
Campbell v. United States Dist. Court, 501 F.2d 196, 206 (9th Cir. 1974), *cert. denied*, 419 U.S. 879 (1974).

In his twenty-nine page R & R, the Magistrate Judge carefully reviewed the factual record and discussed it in some detail with regard to each of this issues raised in this appeal. The Magistrate Judge's conclusions are supported by the record and are well-reasoned. On this basis, the R & R is adopted.

For the foregoing reasons, the court hereby ADOPTS the Magistrate Judge's R & R as the court's Opinion and Order, and DENIES Plaintiff's motion to reverse decision of the Commissioner (Doc. 11), and GRANTS the Defendant's motion for order affirming the decision of the Commissioner (Doc. 14).

SO ORDERED.

Dated at Burlington, in the District of Vermont, this 12th day of December, 2014.


Christina Reiss, Chief Judge
United States District Court