IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

BECKLEY DIVISION

DEBRA L. PRITT,

Plaintiff,

v. CIVIL ACTION NO. 5:13-cv-10036

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

MEMORANDUM OPINION AND ORDER

By *Standing Order* (Document 4) entered on May 3, 2013, this action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). On June 3, 2014, the Magistrate Judge submitted a *Proposed Findings and Recommendation* (Document 20) wherein it is recommended that this Court: grant the Plaintiff's motion for remand; deny the Defendant's motion for judgment on the pleadings; reverse the final decision of the Commission; remand this matter pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings consistent with the *Proposed Findings and Recommendation*; and dismiss this action from the Court's docket. Objections to the Magistrate Judge's *Proposed Findings and Recommendation* were due by June 20, 2014.

Neither party has timely filed objections to the Magistrate Judge's *Proposed Findings and Recommendation*. The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149-50 (1985); *see also Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983) (holding that districts courts may adopt proposed findings and recommendations without explanation in the absence of objections).

Accordingly, the Court **ADOPTS** and incorporates herein the findings and recommendation of the Magistrate Judge as contained in the *Proposed Findings and Recommendation*. The Court **ORDERS** that: the Plaintiff's motion for remand (Document 10) be **GRANTED**; the Defendant's motion for judgment on the pleadings (Documents 17 & 18) be **DENIED**; the final decision of the Commission be **REVERSED**; this matter be **REMANED** pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings consistent with the *Proposed Findings and Recommendation*; and this action be **DISMISSED** from the Court's docket.

The Court **DIRECTS** the Clerk to send a certified copy of this *Memorandum Opinion and Order* to Magistrate Judge Eifert, counsel of record, and any unrepresented party.

ENTER: June 23, 2014

IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA