

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

THOMAS CHARLES HAYDEN, }

Plaintiff, }

v. }

Case No.: 5:17-cv-00881-MHH

NANCY A. BERRYHILL, }

Acting Commissioner of Social }

Security, }

Defendant. }

MEMORANDUM OPINION


The magistrate judge to whom this case initially was assigned entered a report in which she recommended that the Court reverse and remand the Commissioner’s decision denying Mr. Hayden’s disability claim. (Doc. 11, p. 7). The magistrate judge advised the parties of their right to file objections within 14 days. (Doc. 11, pp. 7-8). To date, no party has filed objections to the magistrate judge’s report and recommendation.

A district court “may accept, reject, or modify, in whole or part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). A district court reviews legal conclusions in a report *de novo* and reviews for plain error factual findings to which no objection is made. *Garvey v. Vaughn*, 993 F.2d

776, 779 n.9 (11th Cir. 1993); *see also* *LoConte v. Dugger*, 847 F.2d 745, 749 (11th Cir. 1988); *Macort v. Prem, Inc.*, 208 Fed. Appx. 781, 784 (11th Cir. 2006). The Court finds no misstatements of law in the report and no plain error in the magistrate judge's description of the relevant facts. Therefore, the Court adopts the magistrate judge's report and accepts her recommendation.

The Court will issue a separate final judgment consistent with this memorandum opinion.

DONE this 11th day of March, 2019.



MADELINE HUGHES HAIKALA
UNITED STATES DISTRICT JUDGE