

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Tracy Lee Ramsey,

Plaintiff,

v.

Carolyn W Colvin,

Defendant.

No. CV-15-00349-TUC-RM

ORDER

On August 2, 2016, Magistrate Judge D. Thomas Ferraro issued a Report and Recommendation (Doc. 18) recommending that this Court grant Plaintiff's request to reverse the Commissioner of Social Security's ("Commissioner") final decision and remand to the Administrative Law Judge ("ALJ") to conduct further proceedings. No objections to the Report and Recommendation were filed, and the time for filing objections has expired.

A district judge must "make a de novo determination of those portions" of a magistrate judge's "report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1). The advisory committee's notes to Rule 72(b) of the Federal Rules of Civil Procedure state that, "[w]hen 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" of a magistrate judge. Fed. R. Civ. P. 72(b) advisory committee's note to 1983 addition. *See also Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999) ("If no objection or only partial objection is made, the

1 district court judge reviews those unobjected portions for clear error.”); *Prior v. Ryan*,
2 CV 10-225-TUC-RCC, 2012 WL 1344286, at *1 (D. Ariz. Apr. 18, 2012) (reviewing for
3 clear error unobjected-to portions of Report and Recommendation).

4 The Court has reviewed Judge Ferraro’s Report and Recommendation, the parties’
5 briefs, and the record. The Court finds no error in Judge Ferraro’s Report and
6 Recommendation.

7 Accordingly,

8 **IT IS ORDERED** that the Report and Recommendation (Doc. 18) is **accepted**
9 **and adopted in full**. The Commissioner’s final decision is **reversed**, and this case is
10 **remanded** for further proceedings consistent with this Order and with Judge Ferraro’s
11 Report and Recommendation. The Clerk of Court is directed to enter judgment
12 accordingly and close this case.

13 Dated this 31st day of August, 2016.

14
15
16 

17 Honorable Rosemary Marquez
18 United States District Judge
19
20
21
22
23
24
25
26
27
28