

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
PEORIA DIVISION**

BRIAN K.,)
)
 Plaintiff,)
)
 v.)
)
 COMMISSIONER OF SOCIAL)
 SECURITY,)
)
 Defendant.)

Case No. 1:23-cv-01159

ORDER

Plaintiff Brian K. (“Brian”) filed an application for disability insurance benefits and supplemental security income. Defendant the Commissioner of Social Security (“the Commissioner”) denied his application, and Brian seeks judicial review of the Commissioner’s decision pursuant to 42 U.S.C. §§ 405(g) and 1383(c)(3). (D. 10). This matter is now before the Court on Brian’s Briefs, (D. 10; D. 17), the Commissioner’s Brief, (D. 16), and the Report and Recommendation of Magistrate Judge Jonathan Hawley entered on May 16, 2024. (D. 19). The Report and Recommendation recommends granting Brian’s request to reverse the Commissioner’s unfavorable decision and remand the case for further proceedings consistent with the Report and Recommendation’s Opinion pursuant to 42 U.S.C. § 405(g), Sentence Four. (D. 19).

When a magistrate judge considers a pretrial matter dispositive of a party’s claim or defense, he must enter a recommendation of disposition. Fed. R. Civ. P. 72(b)(1). The Parties were advised that any objection to the Report and Recommendation must be filed within fourteen days. (D. 19, p. 11 (citing Fed. R. Civ. 72(b)(2); 28 U.S.C. § 636(b)(1)). More than fourteen days have elapsed, and no objections were made; therefore, any objections to the Report and Recommendation have been waived. *See Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th

Cir. 1999); *see also Lorentzen v. Anderson Pest Control*, 64 F.3d 327, 330 (7th Cir. 1995). When no objections are made, the district judge reviews the recommendation for clear error. *Johnson*, 170 F.3d at 739.

Judge Hawley’s review was limited to determining whether the administrative law judge’s (“ALJ”) findings were supported by substantial evidence and whether the ALJ applied the correct legal standard. (D. 19, p. 3 (citing *Delgado v. Bowen*, 782 F.2d 79, 82 (7th Cir. 1986))). Substantial evidence means “such relevant evidence as a reasonable mind might accept as adequate to support the decision.” *Id.* (citing *Richardson v. Perales*, 402 U.S. 389, 390 (1971); *Henderson v. Apfel*, 179 F.3d 507, 512 (7th Cir. 1999)). The ALJ does not have “to provide a complete and written evaluation of every piece of testimony and evidence, but must build a logical bridge from the evidence to his conclusions.” *Minnick v. Colvin*, 775 F.3d 929, 935 (7th Cir. 215) (quotation marks omitted).

After reviewing the Report and Recommendation, the Parties’ pleadings, the record, and the application law, the Court finds no clear error. Accordingly, the [19] Report and Recommendation is ADOPTED. The Commissioner’s decision denying Brian’s application for disability insurance benefits and supplemental security income is REVERSED and the case is REMANDED for further proceedings pursuant to 42 U.S.C. §§ 405(g) and 1381(c)(3). The Clerk is DIRECTED to enter judgment and close the case.

Entered on June 4, 2024.

/s/ Michael M. Mihm
Michael M. Mihm
United States District Judge