

**IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
SPRINGFIELD DIVISION**

TERMASS A. PLEASANT, SR.,)
)
Plaintiff,)
)
v.)
)
CAROLYN COLVIN, Acting)
Commissioner of Social Security,)
)
Defendant.)

No. 14-cv-3067

ORDER

SUE E. MYERSCOUGH, U.S. District Judge:

This matter comes before the Court on the Report and Recommendation of United States Magistrate Judge Tom Schanzle-Haskins (d/e 16). Judge Schanzle-Haskins recommends that this Court affirm in part and reverse and remand in part the decision of the Commissioner of Social Security. The Commissioner found that Plaintiff became disabled on September 8, 2012, but not before.

Objections to the Report and Recommendation were due on or before September 4, 2015. Neither party filed objections.

Pursuant to Federal Rule of Civil Procedure 72(b)(3), the Court “may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions.” Fed. R. Civ. P. 72(b)(3). The Court reviews de novo any part of the Report and Recommendation to which a proper objection has been made. Fed. R. Civ. P. 72(b)(3). “If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error.” Johnson v. Zema Sys. Corp., 170 F. 3d 734, 739 (7th Cir. 1999) (also noting that a party who fails to object to the report and recommendation waives appellate review of the factual and legal questions).

Judge Schanzle-Haskins found the Administrative Law Judge’s (ALJ) decision that Plaintiff was not disabled before September 8, 2012 was not supported by substantial evidence. Judge Schanzle-Haskins recommended that Plaintiff’s Brief in Support of Motion for Summary Judgment (d/e 11) should be allowed in part, that the Commissioner’s Motion for Summary Affirmance (d/e 14) should be denied, and that the ALJ’s decision should be reversed and Plaintiff’s case remanded for further proceedings. Because Plaintiff did not appeal the Commissioner’s decision that Plaintiff became

disabled on September 8, 2012, Judge Schanzle-Haskins affirmed that decision.

After reviewing the record, the Report and Recommendation, the parties' motions and memoranda, and the applicable law, this Court finds no clear error.

IT IS THEREFORE ORDERED THAT:

(1) The Report and Recommendation (d/e 16) is ADOPTED in its entirety.

(2) The Decision of the Commissioner is AFFIRMED in part and REVERSED and REMANDED in part. THIS CASE IS CLOSED.

ENTER: September 18, 2015

FOR THE COURT:

**s/ Sue E. Myerscough
SUE E. MYERSCOUGH
UNITED STATES DISTRICT JUDGE**