

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

SHERRY L. IRVIN,

Plaintiff,

v.

**MICHAEL J. ASTRUE,
COMMISSIONER OF
SOCIAL SECURITY,**

Defendant.

No. 10-CV-085-DRH-CRP

MEMORANDUM AND ORDER

HERNDON, Chief Judge:

On February 3, 2010, Sherry L. Irvin, by and through her attorney, filed a complaint against the Commissioner of Social Security, for judicial review of an administrative agency's decision (Doc. 2). Specifically, Irvin seeks judicial review of the Commissioner's decision denying her supplemental security income.

On March 4, 2011, pursuant to **28 U.S.C. § 636(b)(1)(B)**, United States Magistrate Judge Clifford J. Proud submitted a Report and Recommendation ("the Report") recommending that the Court reverse the Commissioner's final decision and remand this case to the Commissioner for rehearing and reconsideration of the evidence (Doc. 33).

The Report was sent to the parties with a notice informing them of their right to appeal by way of filing "objections" by March 22, 2011. To date, none of the parties have filed objections, and the period in which to file objections has expired.

Therefore, pursuant to **28 U.S.C. § 636(b)**, this Court need not conduct *de novo* review. ***Thomas v. Arn*, 474 U.S. 140, 149-52 (1985)**.

Thus, the Court **ADOPTS** the Report in its entirety (Doc. 33). The Court **REMANDS** this case to the Commissioner for rehearing and reconsideration of the evidence, pursuant to sentence four of 42 U.S.C. § 405(g).

IT IS SO ORDERED.

Signed this 23rd day of March, 2011.

 Digitally signed by
David R. Herndon
Date: 2011.03.23
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**Chief Judge
United States District Court**