

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA**

JANICE M. DIETZ,)
)
Plaintiff,)
)
v.)
)
CAROLYN W. COLVIN,)
Commissioner of Social Security)
Administration,)
)
Defendant.)

CASE NO.: 2:11-CV-442-TLS

ORDER

The Plaintiff, Janice N. Dietz, brought this action pursuant to 42 U.S.C. § 405(g), which resulted in a remand of the Commissioner’s final decision denying her application under the Social Security Act for disability benefits. This matter is now before the Court on the Report and Recommendation [ECF No. 26] of United States Magistrate Judge Andrew P. Rodovich, filed on February 10, 2014. In his Report and Recommendation, Judge Rodovich recommends that the Plaintiff’s Application for Attorneys’ Fees Under the EAJA [ECF No. 25] be GRANTED.

This Court’s review of a magistrate’s report and recommendation is governed by 28 U.S.C. § 636(b)(1), which provides in part:

A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made. A judge of the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The judge may also receive further evidence or recommit the matter to the magistrate judge with instructions.

The statute permits objections to the magistrate’s report and recommendations to be made within fourteen days of service of a copy of the report. *Id.*; *see also* Fed. R. Civ. P. 72(b) (setting forth procedures for objecting to a magistrate’s report and recommendation and the district court’s

resolution of any objections).

As of the date of this Order, no objection to the Report and Recommendation has been filed, and the time for making objections has now passed. Having reviewed the Report and Recommendation prepared by Judge Rodovich, the Court ADOPTS the Report and Recommendation [ECF No. 26] in its entirety and ACCEPTS the recommended disposition. The Plaintiff's Application [ECF No. 25] is GRANTED in the amount of \$8,429.33. The Court ORDERS that payment by the Commissioner in the amount of \$8,429.33 be made directly to Attorney Frederick J. Daley, Jr, and Daley Disability Law.

SO ORDERED on March 3, 2014.

s/ Theresa L. Springmann
THERESA L. SPRINGMANN
UNITED STATES DISTRICT COURT
FORT WAYNE DIVISION