

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

LESLIE M. GREEN, f/k/a LESLIE
MARIE WALLACE,

Plaintiff,

Case Number 07-12787-BC
Honorable Thomas L. Ludington

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION
AND REMANDING FOR FURTHER PROCEEDINGS**

This matter is before the Court on a report issued by Magistrate Judge Mona K. Majzoub on August 26, 2008. The magistrate judge recommends denying both parties motions for summary judgment and remanding the case for further proceedings. As of today's date, no party has filed any objections to the magistrate judge's report and recommendation. The failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Federation of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the reasoning and conclusion of the magistrate judge.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation [Dkt # 21] is **ADOPTED**.

It is further **ORDERED** that Plaintiff's motion for summary judgment [Dkt. # 20] is **DENIED WITHOUT PREJUDICE**, and that Defendant's motion for summary judgment [Dkt. #

12] is **DENIED WITHOUT PREJUDICE**.

It is further **ORDERED** that the case is **REMANDED** to the Commissioner of Social Security for further administrative proceedings consistent with the magistrate judge's report and recommendation.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: October 2, 2008

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on October 2, 2008.

s/Tracy A. Jacobs
TRACY A. JACOBS