

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

SANDRA SCHROEDER,

Plaintiff,

Case No. 1:20-cv-10914

v.

Honorable Thomas L. Ludington
Magistrate Judge Patricia T. Morris

COMMISSIONER ANDREW SAUL,

Defendant.

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**ORDER ADOPTING REPORT & RECOMMENDATION, GRANTING DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT, DENYING PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT, AND AFFIRMING THE DECISION OF THE
COMMISSIONER**

On September 23, 2017, Plaintiff's application for disability insurance benefits was completed. ECF No. 10 at PageID.202. She alleged that she became disabled on May 30, 2017. *Id.* On December 26, 2017 the Commissioner denied the claim. *Id.* at PageID.136. Plaintiff then requested a hearing before an administrative law judge ("ALJ"), which occurred on November 5, 2018. *Id.* at PageID.146; *Id.* at PageID.77. The ALJ issued a decision on February 27, 2019, finding that Plaintiff was not disabled. *Id.* at PageID.63. The Appeals Council denied review on March 3, 2020. *Id.* at PageID.35. Plaintiff sought judicial review on April 9, 2020, and the parties subsequently filed cross-motions for summary judgment. ECF Nos. 1, 13, 17.

The matter was referred to Magistrate Judge Patricia Morris. On April 21, 2021, Magistrate Judge Morris issued her report. ECF No. 19. She recommended denying Plaintiff's Motion for Summary Judgment, granting Defendant's Motion for Summary Judgment, and affirming the Commissioner. *Id.* Although the Magistrate Judge's Report states that the parties to this action could object to and seek review of the recommendation within fourteen days of service of the

Report, neither party timely filed any objections. The election not to file objections 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). The failure to file objections to the report and recommendation waives any further right to appeal. *Id.*

Accordingly, it is **ORDERED** that the Magistrate Judge's Report and Recommendation, ECF No. 19, is **ADOPTED**.

It is further **ORDERED** that Defendant's Motion for Summary Judgment, ECF No. 17, is **GRANTED**.

It is further **ORDERED** that Plaintiff's Motion for Summary Judgment, ECF No. 13, is **DENIED**.

It is further **ORDERED** that the findings of the Commissioner are **AFFIRMED**.

Dated: June 4, 2021

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