

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GIAQUETTA N. JERRY,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 13-12065

SENIOR U.S. DISTRICT JUDGE
ARTHUR J. TARNOW

**ORDER ADOPTING REPORT AND RECOMMENDATION [8] AND GRANTING
DEFENDANT'S MOTION TO DISMISS [5]**

Plaintiff initiated this lawsuit on May 9, 2013, seeking judicial review of an Administrative Law Judge's denial of her application for disability benefits. On July 16, 2013, Defendant filed a Motion to Dismiss [Dkt. #5], arguing that the case must be dismissed as untimely filed. On September 13, 2013, Magistrate Judge Mark A. Randon issued a Report and Recommendation [8],¹ recommending that the Court grant Defendant's Motion to Dismiss. Plaintiff filed no objection to the Report and Recommendation. Indeed, Plaintiff may have abandoned the case. As

¹ On April 10, 2014, this case was reassigned from Magistrate Judge Randon to Magistrate Judge R. Steven Whalen.

noted in the Report and Recommendation, Plaintiff did not appear for oral argument when instructed to do so, and her counsel informed the Court that counsel did not know Plaintiff's whereabouts and had been unable to contact her.

The Court having reviewed the record,

IT IS ORDERED that the Report and Recommendation [8] is **ADOPTED** and entered as the findings and conclusions of the Court.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss [5] is **GRANTED**.

SO ORDERED.

Dated: March 14, 2016

s/Arthur J. Tarnow
Arthur J. Tarnow
Senior United States District Judge