

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

SAVETH OUNG,

Plaintiff,

v.

Case No. 14-12676
Honorable Denise Page Hood

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

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ORDER ADOPTING REPORT AND RECOMMENDATION (DOC # 16)

Plaintiff Saveth Oung filed a case seeking judicial review of Defendant Commissioner of Social Security's denial of benefits. The Court assigned all pretrial matters to Magistrate Judge Majzoub. This matter was stayed under Administrative Order 15-AO-045. On October 14, 2015, the Court ordered Plaintiff's former counsel to, among other things, inform her she needed to obtain new counsel within 60 days or she would be considered as proceeding *pro se*. On March 8, 2016, the stay was lifted. Plaintiff failed to indicate she retained new counsel; therefore, Plaintiff was deemed *pro se*. (Doc. # 15). Magistrate Judge Majzoub ordered Plaintiff to file new summary judgment motion by April 11, 2016, otherwise the Court may *sua sponte* dismiss the action under Federal Rule of Civil Procedure 41(b) for failure to prosecute. (Doc. # 15). Plaintiff failed to file a summary judgement motion by the deadline. On April 15, 2016, Magistrate Judge

Majzoub issued a Report and Recommendation recommending the Court dismiss the action for failure to prosecute. *Id.*

Once a report and recommendation has been issued, a party has fourteen days to file written objections to the Magistrate Judge's proposed findings and recommendations. 28 U.S.C. § 636. A district court is not required to review any portion of a report and recommendation to which no objection was made. *Hickey-Niezgoda v. Wells Fargo Home Mortgage*, No. 11-10538, 2012 WL 1079573, at *1 (E.D. Mich. Mar. 30, 2012) citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Neither party filed any written objections, and the time period for filing objections has expired. After reviewing the Report and Recommendation and the record, the Court agrees with Magistrate Judge Majzoub's recommendations. Plaintiff was warned that her action could be dismissed under Fed. R. Civ. P. 41(b), yet she did not take any action. *See also* E.D. Mich. LR 41.2 (“[W]hen it appears that . . . the parties have taken no action for a reasonable time, the Court may, on its own motion after reasonable notice . . . enter an order dismissing . . . the case unless good cause is shown.”).

The Court **ADOPTS** Magistrate Judge Majzoub's Report and Recommendation (Doc. # 16). Plaintiff's case is **DISMISSED WITHOUT PREJUDICE**.

IT IS ORDERED.

S/Denise Page Hood
Chief Judge, United States District Court

Dated: May 31, 2016

I hereby certify that a copy of the foregoing document was served upon counsel of record on May 31, 2016, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry

Case Manager