

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GARY ROBERTSON,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

CASE NO. 2:14-cv-14002

HON. MARIANNE O. BATTANI

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION
AND GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT
AND DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

Plaintiff Gary Robertson brings this action challenging the final decision of the Commissioner denying his application for Social Security Disability Insurance Benefits and Supplemental Security Income under the Social Security Act. The case was referred to Magistrate Judge R. Steven Whalen pursuant to 28 U.S.C. § 636(b)(1). (Doc. 4). Both parties filed dispositive motions, and in a Report and Recommendation ("R&R") dated October 29, 2015, Magistrate Judge Whalen recommended that Plaintiff's Motion for Summary Judgment be denied and that Defendant's Motion for Summary Judgment be granted. (Doc. 19).

In the R&R, the Magistrate Judge informed the parties that objections to the R&R needed to be filed within "14 days of service" and that a party's failure to file objections would waive any further right of appeal. (*Id.*, p. 18). Neither party filed an objection.

Because no objection has been filed in this case, the parties waived their right to *de novo* review and appeal. Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation (Doc. 19), **DENIES** Plaintiff's Motion for Summary Judgment (Doc. 15), and **GRANTS** Defendant's Motion for Summary Judgment (Doc. 18). Plaintiff's Complaint is **DISMISSED** in its entirety.

IT IS SO ORDERED.

Date: January 29, 2016

s/Marianne O. Battani
MARIANNE O. BATTANI
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail to the non-ECF participants on January 29, 2016.

s/ Kay Doaks
Case Manager