UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

COLETTE KNIGHT,

Plaintiff,

Case No. 14-cv-14513
Hon. Matthew F. Leitman

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.
_____/

ORDER (1) ADOPTING REPORT AND RECOMMENDATION (ECF #15), (2) GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (ECF #10), (3) DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (ECF #13), AND (4) REMANDING PLAINTIFF'S CLAIM FOR BENEFITS FOR FURTHER PROCEEDINGS

On August 17, 2015, Magistrate Judge Mona K. Majzoub issued a Report and Recommendation ("R&R") recommending that the Court grant Plaintiff Colette Knight's Motion for Summary Judgment (ECF #10) and deny the Defendant Commissioner of Social Security's Motion for Summary Judgment (ECF #13). (*See* ECF #15.) The Magistrate Judge further recommended that Plaintiff's claim for disability insurance benefits be remanded to the Commissioner of Social Security for further proceedings consistent with the R&R. (*See id.* at 1, 10-11, Pg. ID 354, 363-364.) The R&R stated that the parties could object to and

seek review of the recommendation within fourteen days. (*See id.* at 11, Pg. ID 364.)

Neither party has objected to the R&R. Failure to file objections to the R&R waives any further right to appeal. *See Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the Magistrate Judge's R&R releases the Court from its duty to independently review the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985). The Court has nevertheless reviewed the R&R and agrees with the findings and conclusions of the Magistrate Judge.

Therefore, **IT IS HEREBY ORDERED** that the Magistrate Judge's September 3, 2015, Report and Recommendation (ECF #15) is **ADOPTED** as the Opinion of this Court. **IT IS FURTHER ORDERED**, for the reasons stated in the R&R, that (1) Plaintiff's Motion for Summary Judgment (ECF #10) is **GRANTED**, (2) Defendant's Motion for Summary Judgment (ECF #13) is **DENIED**, and (3) Plaintiff's claim for benefits is **REMANDED** for further proceedings consistent with this Order and the Report and Recommendation.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: October 8, 2015

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on October 8, 2015, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
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