

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DERRICK SMITH,

Plaintiff,

Case No. 15-cv-11172

Hon. Matthew F. Leitman

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

**ORDER (1) GRANTING DEFENDANT'S MOTION FOR SUMMARY
JUDGMENT (ECF #30) AND (2) DENYING PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT (ECF #25)**

In this action, Plaintiff Derrick Smith ("Plaintiff") challenges the cessation of his disability benefits. (*See* Compl., ECF #1.) Plaintiff and the Commissioner of Social Security ("Defendant") have now filed cross-motions for summary judgment. (*See* ECF ## 25, 30.)

On July 15, 2016, the assigned Magistrate Judge issued a Report and Recommendation recommending that the Court grant Defendant's motion and deny Plaintiff's motion (the "R&R"). (*See* ECF #38.) At the conclusion of the R&R, the Magistrate Judge informed the parties that if they wanted to seek review of his recommendation, they needed to file specific objections with the Court within fourteen days. (*See id.* at 24-25, Pg. ID 1036-37.)

Plaintiff has not filed any objections to the R&R. The failure to file objections to an 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 an R&R releases the Court from its duty to independently review the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, because Plaintiff has failed to file any objections to the R&R, **IT IS HEREBY ORDERED** that the Magistrate Judge's recommendation to grant Defendant's Motion for Summary Judgment is **ADOPTED**.

IT IS FURTHER ORDERED that (1) Defendant's Motion for Summary Judgment (ECF #30) is **GRANTED** and (2) Plaintiff's Motion for Summary Judgment (ECF #25) is **DENIED**.

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

Dated: August 10, 2016

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on August 10, 2016, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
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