

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TAMMY S. WILEY,

Plaintiff,

CASE NO. 16-12524
HON. MARIANNE O. BATTANI

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

/

**ORDER ADOPTING REPORT AND RECOMMENDATION
GRANTING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT
AND REMANDING FOR FURTHER PROCEEDINGS**

Plaintiff Tammy Wiley brings this action pursuant to 42 U.S.C. § 405(g), challenging the final decision of the Commissioner denying her applications for supplemental security income and disability insurance benefits. The case was referred to Magistrate Judge Patricia T. Morris, pursuant to 28 U.S.C. § 636(b)(1)(B), to review the final decision.

In a Report and Recommendation ("R&R") dated May 19, 2017, Magistrate Judge Morris recommended that Defendant's Motion for Summary Judgment be denied and that Plaintiff's motion be granted. In her Report and Recommendation, 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. (Doc. No. 22 at 21-22).

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. Moreover, this Court agrees with the thorough analysis contained in the R&R.

Accordingly, the Court **ADOPTS** the Magistrate Judge's recommendation, **DENIES** Defendant's Motion for Summary Judgment, **GRANTS** Plaintiff's Motion for Summary Judgment, and **REMANDS** this matter for further proceedings consistent with the R&R pursuant to Sentence Four of 42 U.S.C. § 405(g).

IT IS SO ORDERED.

Date: July 31, 2017

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 July 31, 2017.

s/ Kay Doaks
Case Manager