

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
No. 2:15-CV-8-BO

DEBORAH G. GREEN,

Plaintiff,

v.

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

ORDER

This cause comes before the Court following its referral of this matter to United States Magistrate Judge Robert T. Numbers, II, for memorandum and recommendation. 28 U.S.C. § 636(b). No objections to the memorandum and recommendation have been filed, and the matter is ripe for review.

BACKGROUND

Plaintiff filed this action pro se against several defendants seeking review of the denial of her application for disability benefits by the Social Security Administration. [DE 5]. By order entered July 14, 2015, the Court dismissed, without opposition from plaintiff, all defendants other than the Acting Commissioner of Social Security. By order entered December 14, 2015, the Court referred this matter to Magistrate Judge Numbers for a memorandum and recommendation on plaintiff's motion to remand and defendant's motion for judgment on the pleadings. [DE 32].

DISCUSSION

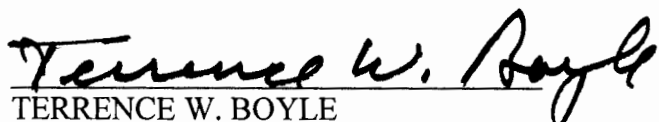
A district court is required to review de novo those portions of an M&R to which a party timely files specific objections or where there is plain error. 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140, 149-50 (1985). “[I]n the absence of a timely filed objection, a district court need not conduct de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (internal quotation and citation omitted).

The M&R recommends that plaintiff’s motion for remand be granted and that defendant’s motion for judgment on the pleadings be denied. As noted above, no party has objected to the M&R and the time for doing so has passed. The Court has reviewed the M&R and is satisfied that there is no clear error on the face of the record. Accordingly, the memorandum and recommendation is ADOPTED.

CONCLUSION

The memorandum and recommendation of Magistrate Judge Numbers is hereby ADOPTED. Plaintiff’s motion to remand [DE 26] is GRANTED, defendant’s motion for judgment on the pleadings [DE 29] is DENIED, and this matter is REMANDED to the Acting Commissioner for further proceedings consistent with the recommendation.

SO ORDERED, this 28 day of July, 2016.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE