

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:11-CV-119-D

SHARON DENISE MILLER,)	
)	
Plaintiff,)	
)	
v.)	
)	
MICHAEL J. ASTRUE,)	
Commissioner of the Social Security)	
Administration,)	
)	
Defendant.)	

ORDER

On February 14, 2012, Magistrate Judge Webb issued a Memorandum and Recommendation (“M&R”) [D.E. 36]. In the M&R, Judge Webb recommended that the court deny Sharon Denise Miller’s (“Miller” or “plaintiff”) motion for judgment on the pleadings [D.E. 30], grant Michael J. Astrue’s (“Commissioner” or “defendant”) motion for judgment on the pleadings [D.E. 32], and affirm defendant’s final decision. Neither party filed objections to the M&R.

“The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the [magistrate judge’s] report or specified proposed findings or recommendations to which objection is made.” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (alteration in original) (emphasis and quotation omitted). Absent a timely objection, “a district court need not conduct a 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.” Id. (quotation omitted).

The court has reviewed the M&R, the record, and the briefs. The court is satisfied that there is no clear error on the face of the record. The court DENIES plaintiff’s motion for judgment on the

pleadings [D.E. 30], GRANTS defendant's motion for judgment on the pleadings [D.E. 32], and AFFIRMS the defendant's final decision. The Clerk of Court is directed to close the case.

SO ORDERED. This 16 day of March 2012.



JAMES C. DEVER III
Chief United States District Judge