

Case No. 1:12-CV-00250
Gwin, J.

within this time waives a party's right to appeal the district court's judgment. [FED. R. CIV. P. 72\(a\)](#); *see also* [Thomas v. Arn, 474 U.S. 140, 145 \(1985\)](#); [United States v. Walters, 638 F.2d 947, 949-50 \(6th Cir. 1981\)](#). Absent objection, a district court may adopt the magistrate judge's report without review. [See Thomas, 474 U.S. at 149](#).

In this case, neither party has objected to the Magistrate Judge's recommendation. Moreover, having conducted its own review of the Report and Recommendation, record, and parties' briefs, the Court agrees with the recommendation of Magistrate Judge Vecchiarelli that the Court affirm the Commissioner's decision.

Accordingly, the Court **ADOPTS** in whole Magistrate Judge Vecchiarelli's Report and Recommendation and incorporates it fully herein by reference, **AFFIRMS** the Commissioner's denial of benefits.

IT IS SO ORDERED

Dated: October 16, 2012

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE