

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

DEAN R. BRATSCH,)	
)	CASE NO. 1:14CV00371
Plaintiff,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
COMMISSIONER OF SOCIAL SECURITY)	
ADMINISTRATION,)	
)	
Defendant.)	<u>ORDER</u>

Plaintiff Dean R. Bratsch, proceeding *pro se*, filed this action seeking judicial review of Defendant's decision disallowing him social security benefits. This matter was referred to Magistrate Judge Kenneth S. McHargh for preparation of a report and recommendation in accordance with 28 U.S.C. § 636. To date, Plaintiff has not filed his merits brief by the cutoff date of July 14, 2014, nor has Plaintiff complied with Judge McHargh's show cause order instructing Plaintiff to explain why his action should not be dismissed for failure to file a merits brief. ECF No. [14](#) at 1. Plaintiff also has not requested any extensions of time. ECF No. [14](#) at 1. On August 13, 2014, the magistrate judge issued a report recommending that this action should be dismissed without prejudice for failure to prosecute. ECF No. [14](#) at 2.

[28 U.S.C. § 636](#) provides that a party may serve and file specific written objections within fourteen days after being served with the recommendations of the magistrate judge. Failure to object within this time waives a party's right to appeal the district court's judgment.

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[Thomas v. Arn, 474 U.S. 140, 145, 106 S. Ct. 466, 88 L. Ed. 2d \(1986\)](#). Moreover, 28 U.S.C. § 636 does not require a district judge to review a magistrate judge's report to which no objections are filed. *Id.* at 149.

The report and recommendation was issued and filed on August 13, 2014. Although the cutoff to file written objections was August 27, 2014, Plaintiff has not filed any objections. Moreover, the Court finds that the report and recommendation is supported by the facts and the law, and agrees with the magistrate judge's recommendation.

Accordingly, the Court adopts the report and recommendation, and dismisses Plaintiff's complaint without prejudice.

IT IS SO ORDERED.

August 29, 2014
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge