

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN B. FOY,)	CASE NO. 1:14cv907
)	
Plaintiff,)	JUDGE CHRISTOPHER A. BOYKO
)	
vs.)	
)	
COMMISSIONER OF SOCIAL SECURITY,)	<u>ORDER</u>
)	
Defendant.)	

CHRISTOPHER A. BOYKO, J:

This matter is before the Court on Magistrate Judge Limbert’s Report and Recommendation (ECF DKT #39) to grant Plaintiff’s Application for Attorney Fees under the Equal Access to Justice Act. (ECF DKT #36). Defendant did not oppose Plaintiff’s Application and Defendant has not filed an objection to the Report and Recommendation.

Federal Rule of Civil Procedure 72(b) provides that objections to a report and recommendation must be filed within fourteen days after service. FED. R. CIV. P. 72(b)(2). Defendant has failed to timely file any such objections. Therefore, the Court must assume that Defendant is satisfied with the Magistrate Judge’s recommendation. Any further review by this Court would be duplicative and an inefficient use of the Court’s limited resources. *Thomas v.*

Arn, 474 U.S. 140, 155 (1985); *Howard v. Sec’y of Health and Human Servs.*, 932 F.2d 505, 506 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

Therefore, the Court adopts the Report and Recommendation of the Magistrate Judge, grants Plaintiff’s Motion and authorizes attorneys fees in the amount of \$21,134.50 to be paid out of Plaintiff’s past due benefits pursuant to 42 U.S.C. § 406(b).

IT IS SO ORDERED.

s/ Christopher A. Boyko
CHRISTOPHER A. BOYKO
United States District Judge

Dated: November 27, 2018