

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

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|---------------------------------|---|----------------------|
| EUGENIA CASE, |) | CASE NO. 1:16-cv-585 |
| |) | |
| PLAINTIFF, |) | JUDGE SARA LIOI |
| |) | |
| vs. |) | MEMORANDUM OPINION |
| |) | |
| COMMISSIONER OF SOCIAL SECURITY |) | |
| ADMINISTRATION, |) | |
| |) | |
| DEFENDANT. |) | |

Before the Court is the report and recommendation of Magistrate Judge George Limbert, recommending that the decision of the Commissioner of Social Security (“Commissioner”) denying the application of plaintiff Eugenia Case (“plaintiff” or “Case”) for disability insurance benefits (“DIB”) be affirmed, and that plaintiff’s case be dismissed with prejudice. (Doc. No. 21 (Report and Recommendation [“R&R”])).)

Under the relevant statute:

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C).

The R&R was issued on March 6, 2017. Plaintiff is represented by counsel. No objection to the R&R has been filed. The failure to file written objections to the report and recommendation of a magistrate judge constitutes a waiver of a de novo determination by the district court of an issue

covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The Court has reviewed Magistrate Judge Limbert's report and recommendation and adopts the same. Accordingly, the final decision of the Commissioner of Social Security denying plaintiff's application for disability insurance benefits is AFFIRMED. This case is dismissed.

IT IS SO ORDERED.

Dated: March 28, 2017



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE