

recommended that this Court vacate the Commissioner's denial of disability benefits and remand the case back to the ALJ for further proceedings.⁸

The Federal Magistrates Act requires a district court to conduct a de novo review only of those portions of a Report and Recommendation to which the parties have made an objection.⁹ On January 23, 2017, the Social Security Commissioner filed notice that the Social Security Commissioner would not object to Magistrate Judge Limbert's Report and Recommendation.¹⁰

Absent objection, a district court may adopt the magistrate judge's report without review.¹¹ Moreover, having conducted its own review of the parties' briefs in this case, the Court agrees with the conclusions of Magistrate Judge Limbert.

Accordingly, the Court **ADOPTS** in whole Magistrate Judge Limbert's findings of fact and conclusions of law and incorporates them fully herein by reference. The Court thus **VACATES** the Commissioner's denial of benefits and **REMANDS** this case to the Administrative Law Judge for further proceedings.

IT IS SO ORDERED.

Dated: February 17, 2017

s/ James S. Gwin

JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

⁸ *Id.* at 24.

⁹ 28 U.S.C. § 636(b)(1)(C).

¹⁰ Doc. 17.

¹¹ *Thomas v. Arn*, 474 U.S. 140, 149 (1985).