

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

ROBERT EUGENE McMANUS, JR,)	CASE NO. 1:17-cv-789
)	
)	
PLAINTIFF,)	JUDGE SARA LIOI
)	
vs.)	
)	MEMORANDUM OPINION
COMMISSIONER SOCIAL SECURITY,)	
)	
)	
DEFENDANT.)	

Before the Court is the report and recommendation (“R&R”) of the magistrate judge in the above-entitled action. (Doc. No. 15.) 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). In this case, the fourteen-day period has elapsed and no objections have been filed. Further, defendant has filed a response indicating that she does not intend to file objections to the R&R. (Doc. No. 16.) The failure to file written objections to a magistrate judge’s R&R 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 the magistrate judge's R&R and adopts the same. Accordingly, the final decision of the Commissioner is vacated and the case is remanded to the Commissioner, pursuant to 42 U.S.C. § 405(g), for further proceedings consistent with the R&R.

IT IS SO ORDERED.

Dated: April 25, 2018



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE