UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO

FRANCISCO T. DIAZ, : CASE NO. 1:17-cv-1602

:

Plaintiff,

vs. :

:

COMMISSIONER SOCIAL SECURITY,:

Defendant.

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On July 31, 2017, Plaintiff Francisco Diaz filed a complaint seeking judicial review of the Defendant Commissioner of Social Security's decision to deny his applications for a period of disability, Disability Insurance Benefits, and Supplemental Security Income.¹ The Court referred the matter to Magistrate Judge Jonathan D. Greenberg.

OPINION AND ORDER

[Resolving Doc. 1]

On May 8, 2018, Magistrate Judge Greenberg issued a Report and Recommendation ("R&R") recommending that this Court affirm the Commissioner's final decision.² Objections to the R&R were due May 22, 2018, and Plaintiff Diaz has filed no objections.

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of an R&R to which the parties have made an objection.³ Failure to timely object waives a party's right to appeal the magistrate's report. ⁴ So, where a party does not object to the R&R, a district court may adopt it without review.⁵

¹ Doc. 1.

² Doc. 17.

³ 28 U.S.C. § 636(b)(1)(C).

⁴ Thomas v. Arn, 474 U.S. 140, 145 (1985); United States v. Walters, 638 F.2d 947, 949-50 (6th Cir. 1981).

⁵ See Thomas, 474 U.S. at 149–50.

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Accordingly, in light of Plaintiff Diaz's failure to object to the R&R in this case, the Court ADOPTS Magistrate Judge Greenberg's R&R, incorporates it as if fully restated herein, and AFFIRMS the Commissioner's final decision.

IT IS SO ORDERED.

Dated: May 23, 2018

s/ James S. Gwin

JAMES S. GWIN

UNITED STATES DISTRICT JUDGE