UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO

CYNTHIA K. DOLL,

OOLL, : CASE NO. 1:18-cv-1591

Plaintiff,

OPINION & ORDER [Resolving Doc.1]

vs.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On July 12, 2018, Plaintiff Cynthia K. Doll filed a complaint that asked for judicial review of Defendant Social Security Commissioner's decision to deny her application for disability insurance benefits and supplemental security income.¹ On June 28, 2019, Magistrate Judge George J. Limbert recommended that the Court vacate the Commissioner's final decision and remand the case for further proceedings.²

Any objections to Magistrate Judge Limbert's Report and Recommendation ("R&R") were due by July 13, 2019. None were filed.

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 objected.³ Absent objection, a district court may adopt the R&R without review.⁴ Because no party has objected to the R&R, this

¹ Doc. 1. Plaintiff and Defendant filed merits briefs. Docs.12, 15. Plaintiff replied to Defendant's brief. Doc. 16.

² Doc.17.

³ 28 U.S.C. § 636(b)(1).

⁴ See Thomas v. Arn, 474 U.S. 140, 149–52 (1985). Failure to timely object may waive a party's right to appeal the district court's order adopting the R&R. *Id.* at 155; *United States v. Walters*, 638 F.2d 947, 949–50 (6th Cir. 1981).

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Court may adopt the R&R without further review. Nonetheless, the Court conducted its own review of the record and agrees with the conclusions in the R&R.

Accordingly, the Court **ADOPTS** Magistrate Judge Limbert's R&R, incorporating it fully herein by reference, **VACATES** the Commissioner's final decision, and **REMANDS** the case for proceedings consistent with the opinion.

IT IS SO ORDERED.

Dated: August 22, 2019

s/ James S. Gwin

JAMES S. GWIN

UNITED STATES DISTRICT JUDGE