

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

WILLIAM MCWHORTER,)	CASE NO. 1:22-CV-1591
)	
Plaintiff,)	JUDGE BRIDGET MEEHAN BRENNAN
)	
v.)	
)	
COMMISSIONER OF SOCIAL)	<u>OPINION AND ORDER</u>
SECURITY,)	
)	
Defendant.)	

Before the Court is the Report and Recommendation (“R&R”) of Magistrate Judge Jennifer Dowdell Armstrong, recommending that the Commissioner of Social Security’s final decision denying Plaintiff William McWhorter’s applications for disability insurance benefits and supplemental security income be affirmed. (Doc. No. 9.)

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) (flush language).

The R&R was issued on July 17, 2023. Plaintiff is represented by counsel. No objection to the R&R has been filed, and the deadline has since passed. *See* Fed. R. Civ. P. 72(b)(2). The failure to timely file written objections to a report and recommendation of a magistrate judge constitutes a waiver of *de novo* review by the district court. *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981); *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff’d*, 474 U.S. 140 (1985). The failure to file written objections also results in a waiver of the right to appeal. *Thomas*, 728 F.2d at 815.

The Court has reviewed the R&R and adopts the same. Accordingly, the Commissioner of Social Security's final decision denying Plaintiff's applications for disability insurance benefits and supplemental security income is AFFIRMED. The case is dismissed.

IT IS SO ORDERED.

Date: August 21, 2023



BRIDGET MEEHAN BRENNAN
UNITED STATES DISTRICT JUDGE