

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

José A. Roman,

Case No. 3:11 CV 2096

Plaintiff,

O R D E R

-vs-

JUDGE JACK ZOUHARY

Commissioner of Social  
Security Administration,

Defendant.

This Court has reviewed the Report and Recommendation (“R&R”) of the Magistrate Judge (Doc. 17) who recommends this Court dismiss Plaintiff’s challenge to the finding that he was not disabled under the Social Security Act. Under the relevant statute, 28 U.S.C. § 636(b)(1):

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.

The failure to file objections within the time frame set forth in the statute constitutes a waiver of *de novo* review by the district court. *See United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005); *Thomas v. Arn*, 474 U.S. 140 (1985).

The deadline for filing objections, June 1, 2012, has passed. No objections have been filed. This failure to file objections mirrors the failure to submit briefs and meet deadlines in the underlying action, and resulted in the recommended dismissal pursuant to Federal Civil Rule 41(b).

The R&R accurately states the facts and applies the correct legal standard. This Court adopts the R&R in its entirety. Plaintiff's claim is dismissed.

IT IS SO ORDERED.

s/ Jack Zouhary  
JACK ZOUHARY  
U. S. DISTRICT JUDGE

June 5, 2012