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

Jeanne Marie Scott,	) CASE NO. 4:12 CV 859
Plaintiff,	JUDGE PATRICIA A. GAUGHAN
Vs.	)
Carolyn W. Colvin, Commissioner of Social Security,	) Memorandum of Opinion and Order )
Defendant.	)

## **INTRODUCTION**

This matter is before the Court upon the Report and Recommendation of Magistrate

Judge Kenneth S. McHargh (Doc. 23), recommending that the Court award attorney fees in the
amount of \$4,350.00, of which \$350 is for costs. No objections have been filed. For the reasons
that follow, the Report and Recommendation is ACCEPTED and attorney fees in the amount of
\$4,350.00 (of which \$350 is costs) shall be awarded to plaintiff and sent to plaintiff in care of her
counsel.

## **STANDARD OF REVIEW**

When objections are made to a Magistrate Judge's Report and Recommendation, the

district court reviews the case *de novo*. Federal Rule of Civil Procedure 72(b) provides in

pertinent part:

The district judge to whom the case is assigned shall make a de novo determination upon the record, or after additional evidence,

of any portion of the magistrate judge's disposition to which

specific written objection has been made in accordance with this rule. The district judge may accept, reject, or modify the

recommended decision, receive further evidence, or recommit the

matter to the magistrate judge with instructions.

As stated in the Advisory Committee Notes, "When no timely objection is filed, the court

need only satisfy itself that there is no clear error on the face of the record in order to accept the

recommendation." In *Thomas v. Arn*, 474 U.S. 140, 150 (1985), the Court held, "It does not

appear that Congress intended to require district court review of a magistrate judge's factual or

legal conclusions, under a *de novo* or any other standard, when neither party objects to those

findings."

**DECISION** 

This Court, having reviewed the Report and Recommendation and finding no clear error,

hereby accepts the Magistrate Judge's Report and Recommendation. In accordance with that

recommendation, the Court hereby awards attorney fees in the amount of \$4,350.00 (of which

\$350 is costs) to plaintiff. The awards shall be sent to plaintiff in care of her counsel.

IT IS SO ORDERED.

/s/ Patricia A. Gaughan

PATRICIA A. GAUGHAN

United States District Judge

Dated: 7/7/14

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