



Case No. 5:13-CV-701  
Gwin, J.

Parties must file any objections to a Report and Recommendation within fourteen days of service.<sup>4/</sup> Failure to object within that time waives a party's right to appeal the magistrate judge's recommendation.<sup>5/</sup> Absent objection, a district court may adopt the magistrate judge's report without review.<sup>6/</sup>

In this case, neither party objected to the Magistrate Judge's recommendation.<sup>7/</sup> Accordingly, the Court **ADOPTS** in whole Magistrate Judge Burke's Report and Recommendation and incorporates it fully herein by reference. The Court **REVERSES AND REMANDS** the Commissioner's decision.

IT IS SO ORDERED.

Dated: April 9, 2014

s/ James S. Gwin  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE

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<sup>4/</sup> [Fed. R. Civ. P. 72\(a\)](#).

<sup>5/</sup> [Id.](#); see [Thomas v. Arn](#), 474 U.S. 140, 145 (1985); [United States v. Walters](#), 638 F.2d 947, 949-50 (6th Cir. 1981).

<sup>6/</sup> [Thomas](#), 474 U.S. at 149.

<sup>7/</sup> Defendant has filed a response indicating it will not object. Doc. [16](#).