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

LARA GRANT,	)	**CASE NO. 5:15 CV 2133**
	)	
Plaintiff,	)	
	)	
v.	)	**JUDGE DONALD C. NUGENT**
	)	
COMMISSIONER OF SOCIAL SECURITY,	)	**Magistrate Judge Nancy A. Vecchiarelli**
	)	
	)	
Defendant.	)	**JUDGMENT**

This matter is before the Court upon the Report and Recommendation of Magistrate Judge Nancy A. Vecchiarelli. (Docket #7.) On October 14, 2015, Plaintiff, Lara Grant, filed her Complaint (Docket #1) challenging the final decision of the Commissioner of Social Security denying her applications for Disability Insurance Benefits and Supplemental Security Income under Titles II and XVI of the Social Security Act, 42 U.S.C. §§ 416(i), 423, and 1381 *et seq.* Pursuant to Local Rule 72.2(b), the case was referred to Magistrate Judge Vecchiarelli.

On February 10, 2016, the Magistrate Judge issued her Report and Recommendation. (Docket #19.) The Magistrate Judge recommends the instant action be dismissed without prejudice for failure to pay the required filing fee or otherwise show cause why Ms. Grant should be permitted to proceed without prepayment of fees.

No objection to the Report and Recommendation has been filed.

Standard of Review for a Magistrate Judge's Report and Recommendation

The applicable standard of review of a magistrate judge's report and recommendation depends upon whether objections were made to that report. When objections are made to a report and recommendation of a magistrate judge, the district court reviews the case de novo. FED. R. CIV. P. 72(b) states:

> The district judge must determine de novo any part of the magistrate judge's disposition that has been properly objected to. The district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions.

The text of Rule 72(b) addresses only the review of reports to which objections have been made; it does not indicate the appropriate standard of review for those reports to which no objections have been properly made. The Advisory Committee on Civil Rules commented on a district court's review of *unopposed* reports by magistrate judges. In regard to subsection (b) of Rule 72, the advisory committee stated: "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." FED. R. CIV. P. 72 advisory committee's notes (citation omitted).

The U.S. Supreme Court stated in *Thomas v. Arn*, 474 U.S. 140, 150 (1985): "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."

Conclusion

The Court has carefully reviewed the Report and Recommendation and agrees with the findings set forth therein. The Report and Recommendation of Magistrate Judge Vecchiarelli (Docket #7) is ADOPTED. This case is DISMISSED WITHOUT PREJUDICE.

IT IS SO ORDERED.

Donald C. Nugent

DONALD C. NUGENT
United States District Judge

DATED: March 14, 2016