

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF OHIO

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DEBORAH A. PARKER,

Plaintiff,

vs.

COMMISSIONER SOCIAL SECURITY,

Defendant.

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CASE NO. 5:16-CV-278

OPINION & ORDER  
 [Resolving Doc. [1](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On February 5, 2016, Plaintiff Deborah A. Parker filed a complaint seeking judicial review of the Defendant Commissioner of Social Security’s decision to deny her non-disability retirement income benefits.<sup>1</sup> The Court referred the matter to Magistrate Judge William H. Baughman, Jr.

On May 5, 2017, Magistrate Judge Baughman issued a Report and Recommendation (“R&R”) recommending that this Court affirm the Commissioner’s decision.<sup>2</sup> Magistrate Judge Baughman found that because Plaintiff Parker never submitted a brief in support of her claim despite multiple extensions, an “obvious error” standard applies to her case.<sup>3</sup> Magistrate Judge Baughman found no obvious error in the denial of benefits.<sup>4</sup>

On May 26, 2017, Plaintiff Parker requested an extension to file objections to the R&R so that she could hire a lawyer.<sup>5</sup> The Court granted the extension.<sup>6</sup>

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<sup>1</sup> Doc. [1](#).  
<sup>2</sup> Doc. [36](#).  
<sup>3</sup> Id. at 6.  
<sup>4</sup> Id. at 7-8.  
<sup>5</sup> Doc. [37](#).  
<sup>6</sup> Doc. [38](#).

Objections were due June 30, 2017. Plaintiff Parker neither retained counsel nor filed objections.

The Federal Magistrates Act requires a district court to conduct a de novo review only of those portions of a Report and Recommendation to which the parties have made an objection.<sup>7</sup> Failure to timely object waives a party's right to appeal the magistrate's report.<sup>8</sup>

Absent objection, a district court may adopt the magistrate judge's report without review.<sup>9</sup> Moreover, having conducted its own review of the complaint and record, the Court agrees with the conclusions in the Report and Recommendation.

Accordingly, the Court **ADOPTS** in whole Magistrate Judge Baughman's Report and Recommendation and incorporates it fully herein by reference, and **DISMISSES** Plaintiff Parker's complaint.

IT IS SO ORDERED.

Dated: July 3, 2017

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

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<sup>7</sup> [28 U.S.C. § 636\(b\)\(1\)\(C\)](#).

<sup>8</sup> [Thomas v. Arn, 474 U.S. 140, 145 \(1985\)](#); [United States v. Walters, 638 F.2d 947, 949-50 \(6th Cir. 1981\)](#).

<sup>9</sup> [See Thomas, 474 U.S. at 149](#).