

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

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|-------------------------------|---|--------------------|
| DAVID ALAN COOK, |) | |
| |) | |
| Plaintiff, |) | |
| v. |) | NO. CIV-13-0211-HE |
| |) | |
| CAROLYN W. COLVIN, acting |) | |
| Commissioner, Social Security |) | |
| Administration |) | |
| |) | |
| Respondent. |) | |

ORDER


Plaintiff David Alan Cook filed this action pursuant to 42 U.S.C. § 405(g) seeking judicial review of the Commissioner’s final decision denying his application for disability insurance benefits under the Social Security Act. Consistent with 28 U.S.C. § 636(b)(1)(B), the case was referred to Magistrate Judge Charles B. Goodwin, who recommends that the decision be reversed and remanded for further proceedings. Objections to the magistrate judge’s Report and Recommendation were due by August 13, 2014.

The parties, having failed to object to the Report and Recommendation, waived their right to appellate review of the factual and legal issues it addressed. United States v. 2121 E. 30th St., 73 F.3d 1057, 1059 (10th Cir. 1996); *see also* 28 U.S.C. § 636(b)(1)(C) (“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.*” (emphasis added)). Accordingly, the court **ADOPTS** Magistrate Judge Goodwin’s Report and Recommendation [Doc. #18], and the decision is **REVERSED** and **REMANDED** for further

proceedings. This does not suggest or imply any view as to whether the claimant is or is not disabled, or what result should be reached on remand.

IT IS SO ORDERED.

Dated this 25th day of August, 2014.



JOE HEATON
UNITED STATES DISTRICT JUDGE