

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

KENDALL PAT CHRISTIAN, )  
Plaintiff, )  
v. ) Case No. CIV-22-01000-JD  
KILOLO KIJAKAZI, )  
Acting Commissioner of the )  
Social Security Administration, )  
Defendant. )

## **ORDER**

Before the Court is United States Magistrate Judge Suzanne Mitchell's Report and Recommendation ("R. & R.") [Doc. No. 24] issued on October 16, 2023. Judge Mitchell recommends that the Court affirm the final decision of Defendant. R. & R. at 16.

Judge Mitchell advised Plaintiff that he may file an objection to the Report and Recommendation with the Clerk of Court by October 30, 2023, and that failure to timely object to the Report and Recommendation waives the right to appellate review of both factual and legal issues contained in the Report and Recommendation. *Id.* (citing *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991)).

The record reflects that Plaintiff did not file an objection to the Report and Recommendation by the deadline or request an extension of time to do so. *See* 28 U.S.C. § 636(b)(1) (“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); Fed. R. Civ. P. 72(b)(3) (“The district judge must determine

de novo *any part of the magistrate judge's disposition that has been properly objected to.”*) (emphasis added).

Upon its review, the Court adopts the Report and Recommendation. Accordingly, the Court **ACCEPTS** the Report and Recommendation [Doc. No. 24] and **AFFIRMS** the decision of Defendant. A separate judgment in favor of Defendant will follow.

IT IS SO ORDERED this 13th day of November 2023.



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JODI W. DISHMAN  
UNITED STATES DISTRICT JUDGE