IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

REGENA M. BRIDGES,

Plaintiff,

v.

CAROLYN W. COLVIN, acting Commissioner of the Social Security Administration,

Defendant.

No. 3:11-cv-06046-AC

OPINION AND ORDER

MOSMAN, J.,

Judge Acosta recommended [24] that the Commissioner's decision to deny benefits to Plaintiff Regena M. Bridges be reversed and remanded for award of benefits. I adopted [28] Judge Acosta's F&R. On October 3, 2013, Judge Acosta recommended [41] that Ms. Bridges be awarded attorney fees in the amount of $6,437.62 under the Equal Access to Justice Act ("EAJA"). I adopted [43] this F&R as well. Now, Judge Acosta recommends [44] that Ms. Bridges's counsel be awarded $12,657 from Ms. Bridges's past-due benefits under 42 U.S.C. § 406(b), subject to reduction by the amount of her EAJA award and any administrative assessment by the Commissioner. Neither party has objected.

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. I am not bound by the recommendations of the magistrate judge; instead, I retain responsibility for making the final determination. I am required to review de novo those portions of the report or any specified findings or recommendations within it to which an objection is made. 28 U.S.C. § 636(b)(1). However, I am not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether objections have been filed, in either case I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1).

Upon review, I agree with Judge Acosta's recommendation, and I ADOPT the F&R [44] as my own opinion.

IT IS SO ORDERED.

DATED this 6th day of November, 2013.

/s/ Michael W. Mosman
MICHAEL W. MOSMAN
United States District Judge