

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JAMES F.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 3:18-cv-00282-MK
ORDER

AIKEN, District Judge:


Magistrate Judge Mustafa Kasubhai filed his Findings and Recommendation (“F&R”) (doc. 18) recommending that the Commissioner’s decision be reversed and remanded for calculation and award of benefits. No objections have been filed and this matter is now before me. *See* 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

Although in the absence of objections no review is required, the Magistrates Act “does not preclude further review by the district [court] *sua sponte* . . . under a *de novo* or any other standard.” *Thomas v. Arn*, 474 U.S. 140, 154 (1985). Indeed, the Advisory Committee Notes to Fed. R. Civ. P. 72(b) recommend that “[w]hen no timely

objection is filed,” the Court reviews the magistrate judge’s recommendations for “clear error on the face of the record.” Based on my review of the F&R and the documents in the case, I find no error in Judge Kasubhai’s F&R. Thus, I adopt the F&R (doc. 18) in its entirety. Accordingly, the Commissioner’s decision is REVERSED and REMANDED for calculation and award of benefits.

IT IS SO ORDERED.

Dated this 20th day of May, 2019.



Ann Aiken
United States District Judge