

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOSEPH BRADY HOUSEKNECHT,	:	CIVIL ACTION NO. 3:16-CV-1703
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
NANCY A. BERRYHILL, Acting	:	
Commissioner of Social Security,¹	:	
	:	
Defendant	:	

ORDER

AND NOW, this 6th day of September, 2017, upon consideration of the report (Doc. 15) of Magistrate Judge Joseph F. Saporito, Jr., recommending the court deny the appeal of Joseph Brady Houseknecht (“Houseknecht”) from the decision of the administrative law judge denying his application for disability insurance benefits and supplemental security income, and it appearing that Houseknecht did not object to the report, see FED. R. CIV. P. 72(b)(2), and the court observing that failure of a party to timely object to a magistrate judge’s conclusions “may result in forfeiture of *de novo* review at the district court level,” Nara v. Frank, 488 F.3d 187, 194 (3d Cir. 2007) (citing Henderson v. Carlson, 812 F.2d 874, 878-79 (3d Cir. 1987)), but that, as a matter of good practice, a district court should “afford some level of review to dispositive legal issues raised by the report,” Henderson, 812 F.2d at 878; see also Taylor v. Comm’r of Soc. Sec., 83 F. Supp. 3d 625, 626 (M.D. Pa. 2015) (citing Univac Dental Co. v. Dentsply Int’l, Inc.,

¹ Carolyn W. Colvin (“Colvin”) was Acting Commissioner of Social Security when the instant action was filed against her in her official capacity. On January 23, 2017, Nancy A. Berryhill succeeded Colvin as Acting Commissioner. Pursuant to Federal Rule of Civil Procedure 25(d), Nancy A. Berryhill is substituted as the defendant in this action. See FED. R. CIV. P. 25(d).

702 F. Supp. 2d 465, 469 (M.D. Pa. 2010)), in order to “satisfy itself that there is no clear error on the face of the record,” FED. R. CIV. P. 72(b), advisory committee notes, and, following an independent review of the record, the court being in agreement with Judge Saporito that the decision of the administrative law judge is “supported by substantial evidence,” 42 U.S.C. § 405(g); Fagnoli v. Massanari, 247 F.3d 34, 38 (3d Cir. 2001), and concluding that there is no clear error on the face of the record, it is hereby ORDERED that:

1. The report (Doc. 15) of Magistrate Judge Saporito is ADOPTED.
2. The decision of the Commissioner of Social Security (“Commissioner”) denying the application for disability insurance benefits and supplemental security income of Joseph Brady Houseknecht (“Houseknecht”) is AFFIRMED.
3. The Clerk of Court shall enter judgment in favor of the Commissioner and against Houseknecht as set forth in paragraph 2.
4. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania