IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

Jeffrey C. Seighman,

Plaintiff,

v.

Michael J. Astrue,
Commissioner of Social Security,

Defendant.

Civil Action No. 0:08-3789-SB

ORDER

This matter is before the Court on the Plaintiff's action for judicial review, pursuant to Section 205(g) of the Social Security Act, as amended (42 U.S.C. § 405(g)), of a final decision of the Commissioner of Social Security, which denied the Plaintiff's claim for disability insurance benefits. The record includes a report and recommendation ("R&R") of a United States Magistrate Judge, made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02(B)(2)(a). In the R&R, filed on November 16, 2009, the Magistrate Judge recommends that the Commissioner's decision be reversed pursuant to sentence four of 42 U.S.C. § 405(g) and 1383(c)(3), and that the case be remanded to the Commissioner for further evaluation of certain doctors' opinions and further consideration of the Plaintiff's credibility and residual functional capacity. In a notice filed on December 4, 2009, the Defendant informed the Court that he will not file objections to the R&R. Likewise, the Court has not received any objections from the Plaintiff.

Absent timely objection from a dissatisfied party, a district court is not required to review, under a de novo or any other standard, a Magistrate Judge's factual or legal conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985). Here, because no objections were

filed, the Court need not conduct a de novo review of any portion of the R&R. Accordingly, the Court hereby adopts the Magistrate Judge's R&R as the Order of the Court, and it is

ORDERED that the decision of the Commissioner of Social Security is reversed pursuant to sentence four of 42 U.S.C. § 405(g), and the case is remanded to the Commissioner for further action as set forth in the R&R.

IT IS SO ORDERED.

The Honorable Sol Blatt, Jr.
Senior United States District Judge

December 7, 2009
Charleston, South Carolina