IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Patricia T. Patterson,

Plaintiff,

v.

Michael J. Astrue, Commissioner of the Social Security Administration,

Defendant.

Civil Action No. 0:09-2599-SB

ORDER

The pro se Plaintiff filed her complaint in this social security matter on October 5, 2009, and the record indicates that the Defendant was served on December 7, 2009. On February 25, 2010, the Plaintiff filed motions for default judgment against the Commissioner of the Social Security Administration, the United States Attorney General for South Carolina, and the United States Attorney General. On March 12, 2010, the Defendant filed an answer and a response in opposition to the Plaintiff's motions. In his response, the Defendant asserted that its answer was timely filed pursuant to Local Civil Rule 83.VII.03 for the District of South Carolina, which provides that "the Commissioner is granted an additional sixty (60) days beyond the time otherwise allowed by law for the filing of its answer without the necessity of a motion so requesting."

On May 5, 2010, United States Magistrate Judge Paige J. Gossett issued a report and recommendation ("R&R") in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. In the R&R, the Magistrate Judge determined that the Defendant's answer was timely filed and therefore recommended that the Court deny the Plaintiff's motions for default judgment. The Magistrate Judge also determined that any failure of the Defendant

to timely respond to the Plaintiff's motions would not entitle the Plaintiff to a judgment, default or otherwise. On May 12, 2010, the Plaintiff filed objections to the R&R. The Defendant thereafter filed a response to the Plaintiff's objections, and the Plaintiff filed a reply to the Defendant's response.

Ultimately, after a thorough review of the matter, the Court finds that the Magistrate Judge accurately addressed the issues and correctly determined that the Plaintiff is not entitled to a judgment, default or otherwise, at this time. Accordingly, the Court adopts the R&R (Entry 27) as the order of the Court, and it is hereby

ORDERED that the Plaintiff's objections (Entry 29) are overruled, and the Plaintiff's motions for default judgment (Entries 19, 20, and 21) are denied.

IT IS SO ORDERED.

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

June 1, 2010
Charleston, South Carolina