

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION**

Veronica Culbertson,)	
)	Civil Action No. 1:15-cv-03556-JMC
Plaintiff,)	
)	
v.)	ORDER AND OPINION
)	
Carolyn W. Colvin, Acting)	
Commissioner of Social Security)	
Administration,)	
)	
Defendant.)	
_____)	

This matter is before the court for a review of United States Magistrate Judge Shiva V. Hodges’ Report and Recommendation (“Report”), filed on May 13, 2016 (ECF No. 14), recommending that the decision of the Commissioner of Social Security (“the Commissioner”) denying Plaintiff’s claims for Disability Insurance Benefits (“DIB”) be reversed and remanded for further administrative proceedings. The Report sets forth the relevant facts and legal standards which this court incorporates herein without a recitation.

The Magistrate Judge’s Report is made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02(B)(2)(a) (D.S.C.). Plaintiff brought this action pursuant to 42 U.S.C. § 405(g) and § 1383(c)(3). The Magistrate Judge makes only a recommendation to this court, which has no presumptive weight. The responsibility to make a final determination remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The court is charged with making a *de novo* determination of those portions of the Report to which specific objections are made. *See* 28 U.S.C. § 636(b)(1).

The parties were advised of their right to file objections to the Report by May 31, 2016. (See ECF No. 14.) Plaintiff did not file any objections to the Report. Defendant does not intend to file objections to the Report. (ECF No. 18.)

In the absence of objections to the Magistrate Judge's Report, this court is not required to provide an explanation for adopting the recommendation. See *Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). Rather, "in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'" *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee's note). Furthermore, failure to file specific written objections to the Report results in a party's waiver of the right to appeal from the judgment of the District Court based upon such recommendation. 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140 (1985).

After a thorough review, the court finds the Report provides an accurate summary of the facts and law. The court **ACCEPTS** the Magistrate Judge's Report and Recommendation (ECF No. 14) and incorporates it herein by reference. For the reasons set forth in the Report, the final decision of the Commissioner denying Plaintiff's claims for Disability Insurance Benefits ("DIB") is **REVERSED** and **REMANDED** for further administrative proceedings consistent with this decision.

IT IS SO ORDERED.



United States District Judge

June 7, 2016
Columbia, South Carolina