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

Elizabeth D. Bourgeois,

Plaintiff,

v.

Michael J. Astrue,
Commissioner of Social Security,

Defendant.

C. A. No. 6:08-2603-SB

ORDER

This matter is before the Court upon the Plaintiff's action pursuant to 42 U.S.C. § 405(g) to review a final decision of the Commissioner of Social Security, which denied his request for disability benefits. Pursuant to Local Rule 73.02(B)(2)(a), the Court referred this matter to United States Magistrate Judge William M. Catoe for initial review.

On July 9, 2009, the Magistrate Judge issued a report and recommendation analyzing the Plaintiff's complaint and recommending that the decision of the Commissioner be reversed under sentence four of 42 U.S.C. § 405(g), and that the case be remanded to the Commissioner for further proceedings consistent with the R&R. Under 28 U.S.C. § 636(b), a dissatisfied party has ten days in which to file written objections to a report and recommendation. On July 22, 2009, the Commissioner filed a notice indicating that he will not file objections to the R&R, and 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, there are no portions of the report and recommendation to which the Court must conduct a de novo review.

Accordingly, based on the foregoing, it is

ORDERED that the Magistrate Judge's report and recommendation is affirmed and adopted as the Order of the Court, the Commissioner's decision is hereby reversed under sentence four of 42 U.S.C. § 405(g), and this matter is remanded for further proceedings consistent with the R&R.

IT IS SO ORDERED.

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

July 28, 2009
Charleston, South Carolina