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

Scotty M. Horne, Plaintiff, v. Nancy A. Berryhill, Acting Commissioner of the Social Security Administration, Defendant.	)	Civil Action No.: 6:16-cv-00390-RBH **ORDER**

Plaintiff Scotty M. Horne seeks judicial review of a final decision of the Commissioner of the Social Security Administration denying his claim for disability insurance benefits. The matter is before the Court for review of the Report and Recommendation (R & R) of United States Magistrate Judge Kevin F. McDonald, made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02(B)(2)(a) for the District of South Carolina. *See* R & R, ECF No. 21. The Magistrate Judge recommends that the Court reverse and remand the Commissioner's final decision for further administrative action pursuant to sentence four of 42 U.S.C. § 405(g). R & R at 21.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The Court must conduct a de novo review of those portions of the R & R to which specific objections are made, and it may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

Neither party has filed objections to the R & R.[1] In the absence of objections to the R & R, the Court is not required to give any explanation for adopting the Magistrate Judge's recommendations. *See Camby v. Davis*, 718 F.2d 198, 199-200 (4th Cir. 1983). The Court reviews only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that "in the absence of a timely filed objection, a district court need not conduct 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'" (quoting Fed. R. Civ. P. 72 advisory committee's note)).

After a thorough review of the record in this case, the Court finds no clear error and therefore adopts and incorporates by reference the Magistrate Judge's R & R [ECF No. 21]. Accordingly, pursuant to sentence four of 42 U.S.C. § 405(g), the Court **REVERSES AND REMANDS** the Commissioner's final decision for further administrative action consistent with the R & R.

IT IS SO ORDERED.

Florence, South Carolina
April 27, 2017

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge

[1] The Commissioner filed a notice stating she would not file objections to the R & R. *See* ECF No. 22.