

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

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Ellis O. Brown,)
)
Plaintiff,)
)
v.)
)
Michael J. Astrue, Commissioner)
of Social Security Administration,)
)
Defendant.)
_____)

Civil Action No. 9:09-1520-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 June 23, 2010, the Magistrate Judge recommends that the Court reverse the Commissioner's decision pursuant to sentence four of 42 U.S.C. § 405(g) and remand the case to the Commissioner for further administrative action. In a notice filed on July 8, 2010, the Defendant informed the Court that he would not be filing 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, 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 consideration, as specifically set forth in the R&R.

IT IS SO ORDERED.



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

July 14, 2010
Charleston, South Carolina

