UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at GREENEVILLE

CHRISTOPHER DOYLE,	)	
	)	
Plaintiff,	)	
	)	Case No. 2:11-cv-371
v.	)	
	)	Judge Mattice
COMMISSIONER OF SOCIAL SECURITY,	)	Magistrate Judge Lee
	)	
Defendant.	)	
	)	

ORDER

On September 21, 2012, United States Magistrate Judge Susan K. Lee filed a Report and Recommendation (Doc. 16) pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). Magistrate Judge Lee recommended that: Plaintiff's Motion for Judgment on the Pleadings (Doc. 12) be granted in part (to the extent it seeks remand of the Commissioner's decision denying benefits) and denied in part (to the extent it seeks an award of benefits); Defendant's Motion for Summary Judgment (Doc. 14) be denied; and the Commissioner's decision denying benefits be reversed and remanded pursuant to Sentence Four of 42 U.S.C. § 405(g).

No party has objected to the Magistrate Judge's Report and Recommendation.[1] Nevertheless, the Court has reviewed the record and the Report and Recommendation, and it agrees with the Magistrate Judge's well-reasoned conclusions.

Accordingly, the Court **ACCEPTS** and **ADOPTS** Magistrate Judge Lee's Report and Recommendation (Doc. 16), findings of fact, and conclusions of law. Plaintiff's

[1] Magistrate Judge Lee specifically advised the parties that they had 14 days in which to object to the Report and Recommendation and that failure to do so would waive their right to appeal. (Doc. 16 at 21 n.7); *see* Fed. R. Civ. P. 72(b)(2); *see also Thomas v. Arn*, 474 U.S. 140, 148-51 (1985) (noting that "[i]t does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings").

Motion for Judgment on the Pleadings (Doc. 12) is **GRANTED IN PART**, insofar as it seeks remand of Plaintiff's claim. Plaintiff's Motion for Judgment on the Pleadings (Doc. 12) is **DENIED IN PART**, insofar as it moves for an award of benefits. Defendant's Motion for Summary Judgment (Doc. 14) is **DENIED**.

Pursuant to Sentence Four of 42 U.S.C. § 405(g), the Commissioner's decision denying Plaintiff's claim to benefits is hereby **REVERSED** and **REMANDED** for further action consistent with this Order and the Magistrate Judge's Report and Recommendation.

The Clerk of Court is **DIRECTED** to close this case.

SO ORDERED this 10th day of October, 2012.

/s/ Harry S. Mattice, Jr.
HARRY S. MATTICE, JR.
UNITED STATES DISTRICT JUDGE