

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at GREENEVILLE

DONNA DIMIZIO,)	
)	
<i>Plaintiff,</i>)	
)	Case No. 2:16-cv-6
v.)	
)	Judge Mattice
NANCY A. BERRYHILL,)	Magistrate Judge Corker
Acting Commissioner of Social Security,)	
)	
<i>Defendant.</i>)	
)	

ORDER

On September 28, 2017, United States Magistrate Judge Clifton Corker filed a Report and Recommendation (Doc. 43) pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). Magistrate Judge Corker recommended that Plaintiff’s Motion for Attorney Fees (Doc. 40) be granted, and that Plaintiff be awarded attorney’s fees in the amount of \$5,130.00.

Neither party has filed objections to the Magistrate Judge’s Report and Recommendation.¹ Nevertheless, the Court has reviewed the record in this matter, and the undersigned agrees with the Magistrate Judge’s well-reasoned conclusions.

Accordingly, the Court **ACCEPTS** and **ADOPTS** Magistrate Judge Corker’s findings of fact and conclusions of law. Plaintiff’s Motion (Doc. 40) is hereby **GRANTED**. Plaintiff **SHALL** be awarded attorney’s fees in the amount of \$ 5,130.00.

¹ While Magistrate Judge Corker did not specifically advise 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, the parties’ right to do so is clearly set forth in 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”). In addition, Plaintiff’s Motion was unopposed by the Defendant.

SO ORDERED this 20th day of October, 2017.

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