Netherton v. Social Security Administration Doc. 14

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MICHAEL DEAN NETHERTON,	)	
	)	
Plaintiff,	)	
	)	**No. 3:15-cv-00186**
v.	)	
	)	**Judge Nixon**
CAROLYN W. COLVIN,	)	**Magistrate Judge Bryant**
Acting Commissioner of Social Security,	)	
	)	
Defendant.	)	

ORDER

Pending before the Court is Defendant Commissioner of Social Security's Motion to Dismiss ("Motion") (Doc. No. 9) for failing to timely appeal the Commissioner's decision. Upon consideration of the parties' briefs, Magistrate Judge Bryant issued a Report and Recommendation ("Report") recommending that the Motion be denied. (Doc. No. 13 at 3.) The Report was filed on June 15, 2015, and provided a period of fourteen days in which either party could file an objection. (*Id.*) Neither party has filed an objection to date.

Upon review of this matter, the Court finds the Report to be well-founded and **ADOPTS** it in its entirety. Accordingly, the Court hereby **DENIES** Defendant's Motion and **REFERS** this matter back to the Magistrate Judge for a scheduling order, for decision on all non-dispositive matters, and for a Report and Recommendation on the disposition of Plaintiff's Complaint for judicial review of the decision of the Social Security Administration.

It is so ORDERED.

Entered this the 9nd day of July, 2015.

JOHN T. NIXON, SENIOR JUDGE
UNITED STATES DISTRICT COURT

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