

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

DAVID OKES,

Plaintiff,

v.

CIVIL ACTION NO. 1:19-00796

ANDREW SAUL, COMMISSIONER
OF SOCIAL SECURITY,

Defendant.

MEMORANDUM OPINION AND ORDER

By Standing Order, this action was referred to United States Magistrate Judge Omar J. Aboulhosn for submission of findings and recommendation regarding disposition pursuant to 28 U.S.C. § 636(b)(1)(B). Magistrate Judge Aboulhosn submitted to the court his Proposed Findings and Recommendation ("PF&R") on October 20, 2020, in which he recommended that the court deny plaintiff's request for reversal or remand, grant defendant's request to affirm the decision below, affirm the final decision of the Commissioner, and dismiss this matter from the court's docket.

In accordance with the provisions of 28 U.S.C. § 636(b), the parties were allotted fourteen days and three mailing days in which to file objections to the PF&R. The failure of any party to file such objections within the time allowed constitutes a waiver of such party's right to a de novo review

by this court. Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989). Neither party filed any objections to the PF&R within the required time period. Accordingly, the court adopts the PF&R as follows:

1. Plaintiff's request for reversal or remand (ECF No. 16) is **DENIED**;
2. Defendant's request to affirm the Commissioner's decision (ECF No. 19) is **GRANTED**;
3. The final decision of the Commissioner is **AFFIRMED**; and
4. This action is **DISMISSED**.

The Clerk is directed to remove this case from the court's active docket. The Clerk is further directed to send a copy of this Memorandum Opinion and Order to counsel of record and any unrepresented parties.

IT IS SO ORDERED this 12th day of April, 2021.

ENTER:



David A. Faber
Senior United States District Judge