

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

CHARLESTON DIVISION

JESSICA LEE SERGENT

Plaintiff,

v.

CIVIL ACTION NO. 2:19-cv-00416

ANDREW SAUL,  
Commissioner of Social Security,

Defendant.

**MEMORANDUM OPINION AND ORDER**

This action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of proposed findings of fact and recommendations for disposition pursuant to 28 U.S.C. § 636(b)(1)(B). On April 9, 2020, Magistrate Judge Tinsley submitted his Proposed Findings & Recommendations (“PF&R”), [ECF No. 10], and recommended that the court **DENY** Claimant’s request to reverse the Commissioner’s decision, [ECF No. 8], **GRANT** the Commissioner’s request to affirm his decision, [ECF No. 9], **AFFIRM** the final decision of the Commissioner, and **DISMISS** this action from the court’s docket. Neither party timely filed objections to the PF&R nor sought an extension of time.

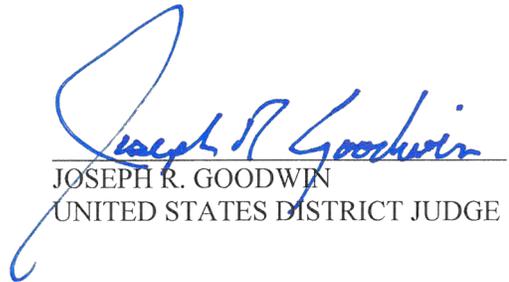
A district court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1)(C). This court is not, however, required to review, under a de

novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985).

Because the parties have not filed objections in this case, the court adopts and incorporates herein the PF&R and orders judgment consistent therewith. The court **DENIES** Claimant's request to reverse the Commissioner's decision, [ECF No. 8], **GRANTS** the Commissioner's request to affirm his decision, [ECF No. 9], **AFFIRMS** the final decision of the Commissioner, and **DISMISSES** this action from the court's docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: July 28, 2020

  
JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE