

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

**BECKLEY DIVISION**

DEBORAH KAY CLINE,

Plaintiff,

v.

CIVIL ACTION NO. 5:14-cv-24083

CAROLYN W. COLVIN,  
Acting Commissioner of Social Security,

Defendant.

**MEMORANDUM OPINION AND ORDER**

By *Standing Order* (Document 4) entered on July 31, 2014, this action was referred to the Honorable Dwane L. Tinsley, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). On August 3, 2015, the Magistrate Judge submitted a *Proposed Findings and Recommendation* (Document 14) wherein it is recommended that this Court deny the *Plaintiff's Brief in Support of the Motion for Summary Judgment* (Document 12), affirm the Defendant's *Brief in Support of Defendant's Decision* (Document 13), reverse the final decision of the Commissioner, remand this case for further proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g), and dismiss this matter from the Court's docket.

Objections to the Magistrate Judge's *Proposed Findings and Recommendation* were due by August 20, 2015, and none were filed by either party. The Court is not 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. *See Thomas v. Arn*, 474 U.S. 140, 149-50 (1985); *see also Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983) (holding that districts courts may adopt proposed findings and recommendations without explanation in the absence of objections).

Accordingly, the Court **ADOPTS** and incorporates herein the findings and recommendation of the Magistrate Judge. The Court **ORDERS** that the *Plaintiff's Brief in Support of the Motion for Summary Judgment* (Document 12) be **DENIED**, the Defendant's *Brief in Support of Defendant's Decision* (Document 13) be **AFFIRMED**, the final decision of the Commissioner be **REVERSED**, this case be **REMANDED** for further proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g), and this matter be **DISMISSED** from the Court's docket.

The Court **DIRECTS** the Clerk to send a certified copy of this *Memorandum Opinion and Order* to Magistrate Judge Tinsley, counsel of record, and any unrepresented party.

ENTER: August 24, 2015



IRENE C. BERGER  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF WEST VIRGINIA