

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

PARKERSBURG DIVISION

TASHA BROWN,

Plaintiff,

v.

CIVIL ACTION NO. 6:13-cv-10572

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

MEMORANDUM OPINION AND ORDER

Pending before the Court is Plaintiff Tasha Brown's Complaint seeking review of the decision of the Acting Commissioner of Social Security (ECF 2). By Standing Order entered April 8, 2013, and filed in this case on May 10, 2013, this action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of proposed findings and a recommendation ("PF&R"). (ECF 4.) Magistrate Judge Tinsley submitted a PF&R on July 31, 2014 (ECF 15), recommending that this Court reverse the final decision of the Commissioner, remand this case for further proceedings, and dismiss this matter from the Court's docket.

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. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Failure to file timely objections constitutes a waiver of de novo review and the Petitioner's right to appeal this Court's Order. 28 U.S.C. § 636(b)(1); see also *Snyder v. Ridenour*, 889 F.2d 1363, 1366 (4th Cir. 1989); *United States v. Schronce*, 727 F.2d 91, 94 (4th Cir. 1984). In addition, this Court need


not conduct a de novo review when a party “makes general and conclusory objections that do not direct the Court to a specific error in the magistrate’s proposed findings and recommendations.” *Orpiano v. Johnson*, 687 F.2d 44, 47 (4th Cir. 1982). Objections to the July 30, 2014, PF&R in this case were due on August 18, 2014. To date, no objections have been filed.

Accordingly, the Court **ADOPTS** the PF&R [ECF 15], **REVERSES** the final decision of the Commissioner, **REMANDS** this case to the Commissioner for further proceedings, **DISMISSES** the Complaint [ECF 2], and **DIRECTS** the Clerk to remove this case from the Court’s docket.

IT IS SO ORDERED.

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

ENTER: August 19, 2014



THOMAS E. JOHNSTON
UNITED STATES DISTRICT JUDGE