

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Lakeiya Rice,
O/B/O J.R, a minor

Plaintiff,

Case No. 12-14438

v.

Commissioner of Social Security,

Sean F. Cox
United States District Court Judge

Defendant.

ORDER ADOPTING 2/26/18 REPORT AND RECOMMENDATION

Plaintiff filed this suit challenging Defendant's denial of her application for Childhood Supplemental Security Income under 42 U.S.C. § 405(g). The Court referred this case to Magistrate Judge Whalen for a report and recommendation under 28 U.S.C. § 636(b)(1)(B) (Doc. # 14-15).

Following this referral, the Magistrate Judge ordered that Plaintiff's motion for summary judgment was due by July 17, 2017 (Doc. # 17). Because Plaintiff is *pro se*, the Order also allowed Plaintiff to file, in lieu of a motion, a letter explaining why Defendant's decision to deny benefits was wrong and why benefits should be granted. When Plaintiff did not respond, the Magistrate Judge entered an Order to Show Cause why the case should not be dismissed for failure to prosecute (Doc. # 18). After the Order was returned as undeliverable (Doc. # 20), the Magistrate Judge vacated the show cause order (Doc. # 21) and set a January 8, 2018 due date for Plaintiff's motion for summary judgment (Doc. # 22). To date, Plaintiff has still not responded.

On February 26, 2018, Magistrate Judge Whalen issued a Report and Recommendation (Doc. # 24) wherein he recommends that the Court dismiss the complaint with prejudice for failure to prosecute.

Pursuant to FED. R. CIV. P. 72(b), a party objecting to the recommended disposition of a matter by a Magistrate Judge must file objections to the R&R within fourteen days after being served with a copy of the R&R. “The district judge to whom the case is assigned shall make a *de novo* determination upon the record, or after additional evidence, of any portion of the magistrate judge’s disposition to which specific written objection has been made.” *Id.*

The time for filing objections to the R&R has expired and the docket reflects that neither party has filed objections. The Court hereby ADOPTS the February 26, 2018 R&R.

IT IS FURTHER ORDERED that this action is DISMISSED WITH PREJUDICE because of Plaintiff’s failure to prosecute.

IT IS SO ORDERED.

s/Sean F. Cox
Sean F. Cox
United States District Judge

Dated: March 14, 2018

I hereby certify that a copy of the foregoing document was served upon counsel of record on March 14, 2018, by electronic and/or ordinary mail.

s/Jennifer McCoy
Case Manager