

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

ROBBIN L. JONES, :  
 :  
 Plaintiff, : Case No. 3:08cv00224  
 :  
 vs. : District Judge Walter Herbert Rice  
 : Magistrate Judge Sharon L. Ovington  
 MICHAEL J. ASTRUE, :  
 Commissioner of the Social :  
 Security Administration, :  
 :  
 Defendant. :

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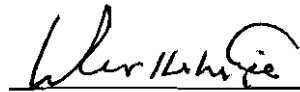
**DECISION AND ENTRY ADOPTING IN FULL THE REPORT AND  
RECOMMENDATIONS FILED ON AUGUST 12, 2009 (Doc. #15); VACATING  
THE COMMISSIONER'S NON-DISABILITY FINDING; REMANDING THIS  
CASE TO THE COMMISSIONER AND THE ADMINISTRATIVE LAW  
JUDGE UNDER SECTION FOUR OF 42 U.S.C. § 405(g) FOR FURTHER  
CONSIDERATION CONSISTENT WITH THE REPORT AND  
RECOMMENDATIONS (Doc. #15); AND TERMINATING THE CASE ON  
THE DOCKET OF THIS COURT**

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The Court has conducted a de novo review of the Report and  
Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc.  
#15), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and  
noting that no objections have been filed thereto and that the time for filing such  
objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** in full said  
Report and Recommendations.

It therefore is **ORDERED** that:

1. The Report and Recommendations filed on August 12, 2009 (Doc. #15) are **ADOPTED** in full;
2. The Commissioner's non-disability findings is **VACATED**;
3. No finding is made as to whether Plaintiff Robbin L. Jones was under a "disability" within the meaning of the Social Security Act;
4. This case is **REMANDED** to the Commissioner and the Administrative Law Judge under Sentence Four of 42 U.S.C. § 405(g) for further consideration consistent with the Report and Recommendations (Doc. #15); and
5. This case is **TERMINATED** on the docket of this Court.



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Walter Herbert Rice  
United States District Judge