

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

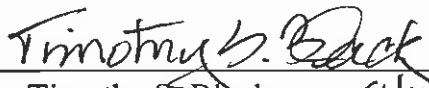
YONG HUI NICHOLS,	:	
	:	
Plaintiff,	:	Case No. 3:10cv00301
	:	
vs.	:	District Judge Timothy S. Black
	:	Magistrate Judge Sharon L. Ovington
MICHAEL J. ASTRUE,	:	
Commissioner of the Social	:	
Security Administration,	:	
	:	
Defendant.	:	
	:	

DECISION AND ENTRY

The Court has conducted a de novo review of the Report and Recommendations (Doc. #17) of United States Magistrate Judge Sharon L. Ovington, 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** said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on July 22, 2011 (Doc. #17) is **ADOPTED** in full;

2. The Commissioner's final decision is AFFIRMED IN PART to the extent the Administrative Law Judge determined that Plaintiff was under a "disability" as defined by the Social Security Act beginning on May 8, 2009;
3. The Commissioner's final decision that Plaintiff was not under a "disability" as defined by the Social Security Act is REVERSED IN REMAINING PART, and this matter is REMANDED to the Social Security Administration under Sentence Four of 42 U.S.C. §405(g) for payment of benefits to Plaintiff consistent with this Decision and Entry, the Report and Recommendations, and the Social Security Act; and
4. The case is terminated on the docket of this Court.



Timothy S. Black 8/11/11
United States District Judge