

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

SARAH BUTLER,

Plaintiff,

-vs-

COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,

Defendant.

:
: CASE NO. 1:11 CV 680
:
: MEMORANDUM OF OPINION AND
: ORDER ACCEPTING THE
: MAGISTRATE JUDGE’S REPORT AND
: RECOMMENDATION AND VACATING
: AND REMANDING THE
: COMMISSIONER’S DECISION

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case was before Magistrate Judge McHargh pursuant to Local Rule 72.2(b). The issue was whether the final decision of the Commissioner of Social Security (the “Commissioner”) denying Plaintiff Sarah Butler’s application for a Period of Disability and Disability Insurance benefits under Title II of the Social Security Act, 42 U.S.C. §§ 416(l) and 423, is supported by substantial evidence, and therefore, conclusive.

On 20 April 2012, Judge McHargh issued a Report and Recommendation concluding that the decision of the Commissioner is not supported by substantial evidence and, therefore, must be vacated and remanded back to the Social Security Administration. (Doc. 21). The Commissioner responded to the Report and Recommendation by stating that he would not be filing any objections. (Doc. 22).

No party has objected to the Magistrate Judge's Report and Recommendation.

Therefore, it must be assumed the parties are satisfied with the Report's conclusion. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. Thomas v. Arn, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir. 1981).

Accordingly, this Court adopts the Magistrate Judge's Report and Recommendation. The decision of the Commissioner is hereby vacated and remanded back to the Social Security Administration.

IT IS SO ORDERED.

/s/Lesley Wells
UNITED STATES DISTRICT JUDGE