

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

-----	:	
TIMOTHY P. URBAN,	:	CASE NO. 1:13 CV 1136
	:	
Plaintiff,	:	
	:	
-vs-	:	<u>MEMORANDUM OF OPINION AND</u>
	:	<u>ORDER ADOPTING THE</u>
	:	<u>MAGISTRATE JUDGE'S REPORT AND</u>
COMMISSIONER OF SOCIAL	:	<u>RECOMMENDATION AND</u>
SECURITY,	:	<u>REMANDING FOR FURTHER</u>
	:	<u>PROCEEDINGS</u>
Defendant.	:	
-----	:	

UNITED STATES DISTRICT JUDGE LESLEY WELLS

Plaintiff Timothy P. Urban challenges the Commissioner of Social Security's ("Commissioner") denial of his application for a Period of Disability ("POD") and Disability Insurance Benefits ("DIB"). (Docket No. 1, Complaint). This matter was automatically referred to United States Magistrate Judge Nancy A. Vecchiarelli for a Report and Recommendation ("R&R"), pursuant to Local Civil Rule 72.2(b). In her R&R, Magistrate Judge Vecchiarelli recommended this Court remand the case, because the Administrative Law Judge ("ALJ") erred when he failed to obtain vocational expert testimony to support a step five finding.

The Commissioner has filed a response to the R&R indicating that she would not

be filing any objections. (#16). The Court accordingly adopts Magistrate Judge Vecchiarelli's R&R in its entirety and remand to the Commissioner for further proceedings consistent with the R&R.

IT IS SO ORDERED.

/s/Lesley Wells
UNITED STATES DISTRICT JUDGE

Dated: 21 February 2014