

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

GRETCHEN L. WALKER,)	CASE NO. 1:15-cv-1234
)	
)	
PLAINTIFF,)	JUDGE SARA LIOI
)	
vs.)	
)	ORDER AND JUDGMENT
CAROLYN W. COLVIN, Acting Commissioner of Social Security,)	ENTRY
)	
DEFENDANT.)	

On December 11, 2015, the assigned magistrate judge recommended that the Commissioner’s decision denying plaintiff’s applications for Period of Disability, Disability Insurance Benefits, and Supplemental Security Income be reversed and remanded for further proceedings. Although rejecting plaintiff’s challenge to the analysis by the Administrative Law Judge (“ALJ”) relating to Listings 1.04 and 11.14,¹ the magistrate judge agreed with plaintiff that judicial review was frustrated by the ALJ’s failure to analyze the evidence and to conduct an appropriate evaluation of the impact, if any, of plaintiff’s fibromyalgia on her residual functional capacity (“RFC”). (Doc. No. 14, Report & Recommendation [“R&R”] at 790-92.)²

On December 23, 2015, the Commissioner advised the Court that she will be filing no objections to the R&R. (Doc. No. 15, Defendant’s Response.)

¹ Plaintiff has filed no objections with respect to the Report and Recommendation, including with respect to this conclusion.

² All page number references are to the page identification number generated by the Court’s electronic docketing system.

The Court has reviewed the analysis in the R&R and concludes that it is correct in both of its conclusions. Accordingly, and in view of the fact that no objections have been filed, the Commissioner's decision is **REVERSED** and this case is **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g)³ for proceedings consistent with the R&R.

Case closed.

IT IS SO ORDERED.

Dated: December 28, 2015



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE

³ 42 U.S.C. § 405(g), sentence four, provides: “The court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.”