

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

NATASHA S PARRISH,)	
)	CASE NO. 1:16CV1880
Plaintiff,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
COMMISSIONER OF SOCIAL SECURITY,)	
)	
Defendant.)	<u>MEMORANDUM OF OPINION</u> <u>AND ORDER</u>

An Administrative Law Judge (“ALJ”) denied Plaintiff Natasha S. Parrish’s applications for a Period of Disability (“POD”), Disability Insurance Benefits (“DIB”), and Supplemental Security Income (“SSI”) after a hearing in the above-captioned case. That decision became the final determination of the Commissioner of Social Security when the Appeals Council denied the request to review the ALJ’s decision. The claimant sought judicial review of the Commissioner’s decision, and the Court referred the case to Magistrate Judge David A. Ruiz for preparation of a report and recommendation pursuant to [28 U.S.C. § 636](#) and [Local Rule 72.2\(b\)\(1\)](#).

The magistrate judge submitted a Report ([ECF No. 15](#)) recommending that the decision of the Commissioner be affirmed. Specifically, the magistrate judge recommends that the Court find: (1) the ALJ did not err in relying on the opinions of non-treating medical sources and plainly considered evidence post-dating the opinions ([ECF No. 15 at PageID #: 970-73](#)); (2) the

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ALJ did not err in making an RFC determination because the RFC is an issue reserved to the Commissioner for final determination ([ECF No. 15 at PageID #: 973-74](#)); and (3) the ALJ did not err in relying on the VE's uncontested affirmation that the testimony provided comported with the DOT ([ECF No. 15 at PageID #: 978-80](#)). In addition, the magistrate judge recommends that the Court find the ALJ did not err in posing a hypothetical question to the VE that omitted Plaintiff's need for a cane because Plaintiff's own hearing testimony does not qualify as medical documentation and Plaintiff's medical records did not establish that the cane was medically required or describe the circumstances for which a cane is needed or required ([ECF No. 15 at PageID #: 974-78](#)). The magistrate judge also recommends that the Court find that Plaintiff's fourth assignment of error ([ECF No. 11 at PageID #: 926](#)) is deemed waived because it is insufficiently developed ([ECF No. 15 at PageID #: 980-82](#)).

[Fed. R. Civ. P. 72\(b\)\(2\)](#) provides that objections to a Report and Recommendation must be filed within 14 days after service. Objections to the magistrate judge's Report and Recommendation were, therefore, due on June 22, 2017. Neither party has filed objections, evidencing satisfaction with the magistrate judge's recommendations. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. [Thomas v. Arn](#), 728 F.2d 813 (6th Cir. 1984), *aff'd*, 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, 949-50 (6th Cir. 1981).

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Accordingly, the Report and Recommendation of the magistrate judge is hereby adopted. The decision of the Commissioner of Social Security is affirmed. Judgment will be entered in favor of Defendant.

IT IS SO ORDERED.

June 23, 2017
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge