

PEARSON, J.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

ROY M. CARROLL,	)	
	)	CASE NO. 1:16CV2875
Plaintiff,	)	
	)	
v.	)	JUDGE BENITA Y. PEARSON
	)	
NANCY A. BERRYHILL, <sup>1</sup>	)	
ACTING COMMISSIONER OF	)	
SOCIAL SECURITY	)	
	)	<b><u>MEMORANDUM OF OPINION</u></b>
Defendant.	)	<b><u>AND ORDER</u></b>

An Administrative Law Judge (“ALJ”) denied Plaintiff Roy M. Carroll’s application for 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 this Court referred the case to Magistrate Judge James R. Knepp II for preparation of a report and recommendation pursuant to [28 U.S.C. § 636](#) and [Local Rule 72.2\(b\)\(1\)](#). On January 5, 2018, the magistrate judge submitted a Report ([ECF No. 18](#)) recommending that the Court affirm the Commissioner’s decision as supported by substantial evidence and made pursuant to proper legal standards. Specifically, the magistrate judge found: (1) the ALJ did not err at Step Two of the disability

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<sup>1</sup> Carolyn W. Colvin was the original Defendant. She was sued in an official capacity as a public officer. On January 23, 2017, Nancy A. Berryhill became the Acting Commissioner of Social Security. Pursuant to [Fed. R. Civ. P. 25\(d\)](#), Berryhill’s name has been automatically substituted as a party.

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analysis because he considered the effects of all Plaintiff's impairments—including his mental impairments—as they related to his residual functional capacity (“RFC”); and, (2) the ALJ properly considered both Plaintiff's severe and non-severe impairments in the remaining steps of the analysis, and in his conclusion Plaintiff was capable of performing his past relevant work of real estate agent and customer service representative. [ECF No. 18 at PageID #: 689](#).

[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 were, therefore, due on January 19, 2018. 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 \(6th Cir. 1981\)](#).

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.

January 22, 2018  
Date

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