

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Michelle Renee Smith,

Case No. 3:16CV1073

Plaintiff

v.

**ORDER**

Nancy A. Berryhill,  
Acting Commissioner of Social Security,

Defendant

This is a Social Security case in which the plaintiff, Michelle Smith, appeals from the Commissioner's decision denying her application for benefits.

An administrative law judge found that Smith, though suffering from multiple severe impairments, was not disabled because: 1) she had the residual functional capacity to perform work involving lifting, pushing, and pulling up to twenty pounds and that would require no more than six hours of standing, walking, or sitting; and 2) a significant number of jobs matching those limitations existed in the national economy. (Doc. 10 at 153–58, 159).

Pending is Magistrate Judge Limbert's Report and Recommendation, which recommends that I affirm the Commissioner's decision. (Doc. 18).

In particular, the Magistrate Judge found that substantial evidence supported the ALJ's decision to afford significant weight to the opinions of two state-agency psychological consultants, but to reject their opinions that Smith "required a calm, consistent setting with . . . no fast-paced production demands." (*Id.* at 12–14).

Smith has filed a notice that she has no objections to the R&R. (Doc. 19).

Because the failure to object to an R&R amounts to a waiver of Smith's right to *de novo* review, *Amison v. Legg*, 2015 WL 853526, \*1 (N.D. Ohio) (Lioi, J.), and because in any event I find the R&R to be well-taken, it is hereby

ORDERED THAT:

1. The Magistrate Judge's R&R (Doc. 18) be, and the same hereby is, adopted as the order of this Court; and
2. The Commissioner's decision denying the plaintiff's application for benefits be, and the same hereby is, affirmed.

So ordered.

/s/ James G. Carr  
Sr. U.S. District Judge