

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

Ashley Bruce,

Case No. 3:16CV1329

Plaintiff

v.

ORDER

Commissioner of Social Security,

Defendant

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

An administrative law judge ruled that, although Bruce suffered from multiple severe impairments, she was not disabled within the meaning of the Social Security Administration's regulations. (Doc. 9 at 163–72).

Pending is Magistrate Judge Baughman's Report and Recommendation (Doc. 20), which recommends that I vacate the ALJ's decision.

In particular, the Magistrate Judge found that substantial evidence did not support the ALJ's rulings that: 1) Bruce's dermatitis and temporomandibular joint syndrom were non-severe impairments; and 2) Bruce did not meet or equal the mental requirements of Listing 12.05(c). (*Id.* at 5–11). Magistrate Judge Baughman then ruled that, because of those errors, a court not could not assess whether substantial evidence supported the ALJ's residual functional capacity. (*Id.* at 11).

The government has not filed an objection to the R&R.

Accordingly, because the failure to file an objection amounts to a forfeiture of the right to do so, *Amison v. Legg*, 2015 WL 853526, *1 (N.D. Ohio) (Lioi, J.), and because in any event I find the R&R well-taken, it is hereby

ORDERED THAT:

1. The Magistrate Judge's Report and Recommendation (Doc. 20) be, and the same hereby is, adopted as the order of the court; and
2. The Commissioner's decision be, and the same hereby is, vacated, and this case is remanded for further proceedings consistent with this opinion and the Magistrate Judge's Report and Recommendation.

So ordered.

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