

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

Frank W. Hubler,

Case No. 3:21-cv-1384

Plaintiff

v.

MEMORANDUM OPINION  
AND ORDER

Commissioner of Social  
Security Administration,

Defendant

Before me is the Report and Recommendation (“R & R”) of Magistrate Judge Thomas M.

Parker filed on June 3, 2022. (Doc. No. 13). Under the relevant statute:

Within [fourteen (14)] days after being served a copy of these proposed Findings and Recommendation, any party who wishes to object must file and serve written objections or further appeal is waived.

*United States v. Campbell*, 261 F.3d 628, 631-32 (6th Cir. 2001) (citation omitted); *see also* 28 U.S.C. § 636(b)(1) (effective Dec. 1, 2009); Fed. R. Civ. P. 72(b)(2). In this case, the fourteen-day window for objections has elapsed, Plaintiff has filed no objections, and the Commissioner has indicated she will not be filing objections. (Doc. No. 14).

Following review of Judge Parker’s R & R, I adopt it in its entirety as the Order of the Court. I agree with Judge Parker’s conclusion that the ALJ failed to apply proper legal standard in evaluating Plaintiff’s RFC in light of his agoraphobia. Therefore, the Commissioner’s final decision is vacated, and the matter is remanded for further consideration.

So Ordered.

s/ Jeffrey J. Helmick  
United States District Judge