

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF OHIO  
 EASTERN DIVISION

DAWN NEELD,	)	CASE NO. 4:11CV1168
	)	
Plaintiff,	)	JUDGE JOHN R. ADAMS
	)	
-vs-	)	
	)	<u>MEMORANDUM OF OPINION</u>
COMMISSIONER OF SOCIAL SECURITY,	)	
	)	<u>AND ORDER</u>
	)	
Defendant.	)	

The Social Security Administration denied Plaintiff’s claim for Period of Disability (“POD”) and Disability Insurance Benefits (“DIB) in the above-captioned case. Plaintiff sought judicial review of the Commissioner’s decision, and this Court referred the case to Magistrate Judge Kenneth McHargh for preparation of a report and recommendation pursuant to 28 U.S.C. § 636 and Local Rules 72.2(b)(1). The Magistrate Judge submitted a report and recommendation (Doc. 22) recommending that the Court VACATE the Commissioner’s decision and REMAND the matter for a new hearing.

Fed. R. Civ. P. 72(b)(2) provides that the parties may object to a report and recommendation within fourteen (14) days after service. No objections have been filed within the 14-day period. On May 17, 2012, Defendant filed a notice stating that it would not be objecting to the report and recommendation (Doc. 23). 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); *Howard v. Sec'y of Health and Human Servs.*, 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 Commissioner's decision is REVERSED and REMANDED for a new hearing. The court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

Dated: May 23, 2012

/s/ John R. Adams  
UNITED STATES DISTRICT JUDGE