

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JOHN RUDISH II,)	CASE NO. 4: 13 CV 2525
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	<u>ORDER ADOPTING</u>
)	<u>MAGISTRATE'S REPORT AND</u>
CAROLYN W. COLVIN, Acting Commissioner of Social Security,)	<u>RECOMMENDATION</u>
)	
Defendant.)	

This matter comes before the Court upon the Report and Recommendation of Magistrate Judge Greg White. The Report and Recommendation (ECF # 19), issued on November 4, 2014, is hereby ADOPTED by this Court. Plaintiff sought review of the Commissioner's decision denying his claim for a Period of Disability ("POD") and Disability Insurance Benefits ("DIB") under Title II and Title XVI of the Social Security Act, 42 U.S.C. §§ 461(I), 423 *et seq.*. The Magistrate found that the ALJ did not provide a sufficient explanation for rejecting the limitations assessed by treating physician Dr. Matto and that, accordingly, the decision of the Commissioner was not supported by substantial evidence. Therefore, the Magistrate recommended that the Commissioner's decision be reversed, and the case be remanded for further proceedings consistent with his Report and Recommendation. The Commissioner has not filed any objections to the Report and Recommendation.

The Court has reviewed *de novo* the Report and Recommendation, *see Ohio Citizen Action v. City of Seven Hills*, 35 F. Supp. 2d 575, 577 (N.D. Ohio 1999), and ADOPTS the Report and Recommendation in its entirety. The Commissioner's decision is reversed and

remanded for further proceedings in accordance with the Report and Recommendation and this opinion.

IT IS SO ORDERED.


DONALD C. NUGENT
United States District Judge

DATED: December 3, 2014