

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

<b>JAMES R. PEARSON,</b>	)	<b>Case No. 5:11 CV 1502</b>
	)	
<b>Plaintiff,</b>	)	<b>Judge Dan Aaron Polster</b>
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>MICHAEL J. ASTRUE, COMM'R OF SOCIAL SECURITY,</b>	)	
	)	
<b>Defendant.</b>	)	

In a detailed Report and Recommendation (“R & R”) issued on June 25, 2012, Magistrate Judge Kathleen B. Burke recommended that the final decision of the Commissioner of Social Security denying James R. Pearson’s application for Disability Insurance Benefits be reversed and the case remanded for further proceedings. (Doc #: 18). On July 23, 2012, the Commissioner, through its attorney, filed a response to the R & R advising that he will not be filing objections to the Magistrate Judge’s R & R. (Doc #: 20).

Accordingly, the Court hereby **ADOPTS** the unopposed R & R, **REVERSES** the Commissioner’s denial of benefits, and **REMANDS** the case for further proceedings consistent with the R & R.

**IT IS SO ORDERED.**

/s/ Dan A. Polster July 25, 2012  
**Dan Aaron Polster**  
**United States District Judge**