

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JOANNE C. COGAR,)	
)	CASE NO. 5:11CV1585
Plaintiff,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
MICHAEL J. ASTRUE,)	
COMMISSIONER OF SOCIAL)	
SECURITY,)	
)	<u>MEMORANDUM OF OPINION</u>
Defendant.)	<u>AND ORDER</u>

An Administrative Law Judge (“ALJ”) denied Plaintiff Joanne C. Cogar’s applications for Supplemental Security Income and Disability Insurance Benefits after a hearing in the above-captioned case. That decision became the final determination of the Commissioner of Social Security when the Appeals Council denied the request to review the ALJ’s decision. The claimant sought judicial review of the Commissioner’s decision, and this Court referred the case to Magistrate Judge Greg White for preparation of a report and recommendation pursuant to [28 U.S.C. § 636](#) and [Local Rule 72.2\(b\)\(1\)](#). The Magistrate Judge submitted a Report and Recommendation ([ECF No. 17](#)) recommending that the Court vacate the Commissioner’s decision and remand the case pursuant to sentence four of [42 U.S.C. § 405\(g\)](#).¹

¹ Sentence four of section 205(g) of the Social Security Act, [42 U.S.C. § 405\(g\)](#), states:

The court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing

(continued...)

(5:11CV1585)

[Fed. R. Civ. P. 72\(b\)\(2\)](#) provides that objections to a report and recommendation must be filed within 14 days after service. On June 7, 2012, the Commissioner filed a Response to the Report and Recommendation ([ECF No. 18](#)), which states that the Commissioner will not be filing objections. Furthermore, Plaintiff has not filed any objections, evidencing satisfaction with the Magistrate Judge's recommendations. 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 \(6th Cir. 1984\)](#), [aff'd, 474 U.S. 140 \(1985\)](#); [Howard v. Secretary of Health and Human Services, 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 Court vacates the decision of the Commissioner of Social Security and remands this case to the Commissioner pursuant to "sentence four" of 42 U.S.C. § 405(g).

IT IS SO ORDERED.

June 12, 2012
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge

¹(...continued)

the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.