

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

CRYSTAL LYNN BAILEY,)	CASE NO. 5: 13 CV 01672
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	MAGISTRATE JUDGE GREG WHITE
)	
)	
COMMISSIONER OF SOCIAL)	ORDER ADOPTING
SECURITY,)	MAGISTRATE’S REPORT AND
)	RECOMMENDATION
)	
Defendant.)	

This matter comes before the Court upon the Report and Recommendation of Magistrate Judge Greg White. The Report and Recommendation (ECF # 17), issued on May 28, 2014, is hereby ADOPTED by this Court. Plaintiff filed this action requesting judicial review of a final decision by the Commissioner of Social Security denying her Period of Disability (“POD”), Disability Insurance Benefits (“DIB”), and Supplemental Security Income (“SSI”) under Title II and Title XVI of the Social Security Act. The Magistrate Judge recommended that the Commissioner’s decision be vacated and the case remanded because the ALJ’s credibility determination as to whether Plaintiff required a hand-held assistive device was vague—making the Commissioner’s decision improper because it was not supported by substantial evidence. No

timely objections have been filed.

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. Therefore, the decision of the Commissioner is VACATED and this case is REMANDED for further proceedings in accordance with the Magistrate Judge's Report and Recommendation.

IT IS SO ORDERED.

DATED: July 3, 2014

Donald C. Nugent
DONALD C. NUGENT
United States District Judge