

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

SAMANTHA DEMASTUS,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

))
)) CASE NO. 5:16CV00836
))
))))
)) JUDGE BENITA Y. PEARSON
))
))))
)) **MEMORANDUM OF OPINION**
)) **AND ORDER**

An Administrative Law Judge (“ALJ”) denied Plaintiff Samantha Demastus’s application for Disability Insurance Benefits and Supplemental Security Income 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 the Court referred the case to Magistrate Judge Jonathan D. Greenberg 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 ([ECF No. 16](#)), recommending that the Court vacate the Commissioner’s decision and remand the case to the ALJ so that the ALJ may “comprehensively set forth the reasons for the weight assigned to a treating physician’s opinion.” [ECF No. 16 at PageID #: 758](#).

(5:16CV00836)

[Fed. R. Civ. P. 72\(b\)\(2\)](#) provides that objections to a report and recommendation must be filed within 14 days after service. Objections to the magistrate judge's Report and Recommendation were, therefore, due on February 10, 2017. On February 7, 2017, the Commissioner filed a Response to Magistrate Judge's Report and Recommended Decision ([ECF No. 17](#)), 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 Court adopts the magistrate judge's Report and Recommendation. The Court will vacate the decision of the Commissioner of Social Security and remand this case to the Commissioner for rehearing and a new decision.

IT IS SO ORDERED.

February 13, 2017
Date

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