

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

SHANNON MANUS,

Plaintiff

v.

C-1-08-243

COMMISSIONER OF SOCIAL SECURITY,

Defendant

ORDER

This matter is before the Court upon the Report and Recommendation of the United States Magistrate Judge (doc. no. 13) to which neither party has objected.

Upon a *de novo* review of the record, the Court finds that the Judge has accurately set forth the controlling principles of law and properly applied them to the particular facts of this case. This Court accepts the Report as uncontroverted. The Report and Recommendation is **ADOPTED AND INCORPORATED** herein.

Accordingly, for the reasons stated in the Report and Recommendation (doc. no. 13), the Commissioner's decision to deny plaintiff DIB and SSI benefits is **REVERSED AND REMANDED** pursuant to Sentence Four of 42 U.S.C. §405(g). On remand, the Commissioner shall obtain testimony and evaluation from a medical expert in order to reevaluate the weight to be given to the opinions of Ms. Satterthwaite, Dr. Kocian-Figueroa and Dr. Kahn, and to provide an accurate RFC assessment.

Additionally, the Commissioner's hypothetical question to the vocational expert shall accurately portray plaintiff's impairments and limitations.

IT IS SO ORDERED.

s/Herman J. Weber
Herman J. Weber, Senior Judge
United States District Court