

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Russell Lynn Herold,

Plaintiff,

v.

Case No. 1:11cv758

Commissioner of Social Security,

Judge Michael R. Barrett

Defendant.

**ORDER**

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on December 21, 2012 (Doc. 23).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation (Doc. 23) have been filed.

Accordingly, it is **ORDERED** that the Report and Recommendation (Doc. 23) of the Magistrate Judge is hereby **ADOPTED**. Plaintiff's Motion for Attorney Fees (doc. 20) is **GRANTED**. The Plaintiff is awarded \$6,184.08 in attorney fees and \$350.00 in costs.

**IT IS SO ORDERED.**

s/Michael R. Barrett  
Michael R. Barrett  
United States District Judge