

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DAVID C. HOWARD,	:	Case No. 1:13-cv-295
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	Magistrate Judge Karen L. Litkovitz
vs.	:	
	:	
COMMISSIONER OF	:	
SOCIAL SECURITY,	:	
	:	
Defendant.	:	

DECISION AND ENTRY: (1) ADOPTING THE REPORT AND RECOMMENDATIONS OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 35); and (2) TERMINATING THIS CASE FROM THE DOCKET OF THE COURT

This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Karen L. Litkovitz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court and, on December 8, 2014, submitted a Report and Recommendations. (Doc. 35). No objections were filed.

As required by 29 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Report and Recommendations should be and are hereby adopted.

Accordingly, the Report and Recommendations (Doc. 35) is **ADOPTED** in full. Specifically:

1. The Commissioner's motion for voluntary remand (Doc. 33) is **GRANTED** and this matter is **REMANDED** to the Commissioner for further administrative proceedings;
2. Plaintiff's motion for out of court settlement (Doc. 30) is **DENIED** as **MOOT**; and
3. Pursuant to 28 U.S.C. Section 1915(a), an appeal of any Order adopting this Report and Recommendation would not be taken in good faith.

IT IS SO ORDERED.

Date: 1/14/15

Timothy S. Black
Timothy S. Black
United States District Judge