

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**JOSHUA E.E. SHOWALTER,**

**Plaintiff,**

v.

**COMMISSIONER OF SOCIAL  
SECURITY,**

**Defendant.**

**Case No. 2:13-cv-283**

**Judge Peter C. Economus**

**Magistrate Judge Norah McCann King**

**ORDER**

This matter is before the Court for consideration of the Report and Recommendation of the Magistrate Judge. (Doc. 20.) The Magistrate Judge recommended that the decision of the Commissioner be reversed pursuant to Sentence 4 of 42 U.S.C. § 405(g) and that the action be remanded to the Commissioner for further consideration of Listing 12.05C.

The Report and Recommendation of the Magistrate Judge specifically advised the parties that failure to object to the Report and Recommendation within fourteen days results in a “waiver of the right to *de novo* review by the District Judge and of the right to appeal the decision of the District Court adopting the *Report and Recommendation*.” (Doc. 20 at 20.) The time period for filing objections to the Report and Recommendation has expired. No party has objected to the Report and Recommendation.

The Court reviewed the Report and Recommendation of the Magistrate Judge pursuant to 28 U.S.C. § 636(b). Noting that no objections have been filed and that the time for filing such objections has expired, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge. Accordingly, the decision of the Commissioner is **REVERSED** and this matter is **REMANDED** to the Commissioner for further consideration of Listing 12.05C.

**IT IS SO ORDERED.**

A handwritten signature in white ink on a black rectangular background. The signature is cursive and appears to be the name 'D. B. [unclear]'. The letters are fluid and connected, with a large loop at the end.