Jester v. Commissioner of Social Security Doc. 20

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

VALERIE SUE JESTER,	:	
	:	
Plaintiff,	:	**Case No. 2:13-CV-00376**
	:	
v.	:	**JUDGE ALGENON L. MARBLEY**
	:	
COMMISSIONER OF SOCIAL SECURITY,	:	**Magistrate Judge Abel**
	:	
	:	
Defendant.	:	

OPINION & ORDER

This Matter is before the Court on the **Report and Recommendation** of the United States Magistrate Judge. (Doc. 19). Plaintiff Valerie Sue Jester challenges the decision of the Commissioner denying benefits, on the grounds that the administrative law judge ("ALJ") failed to give proper deference to the opinion of Plaintiff's treating physician, Dr. Robert Fierman, and improperly evaluated Plaintiff's credibility. (*Statement of Specific Errors*, Doc. 8 at 11-21).

On February 10, 2014, the Magistrate Judge recommended that this case be remanded to allow the ALJ to consider the opinion of Dr. Fierman. (Doc. 19 at 33). The parties were specifically advised of their right to object, and of the consequences of their failure to do so. (*Id.* at 33-34). No objection has been filed. Since neither party has objected, and the deadline for such objections elapsed on February 24, 2014, this Court **ADOPTS** the Magistrate Judge's Report and Recommendation. The decision of the Commissioner is hereby **REVERSED**. This action is **REMANDED** to the Commissioner for reconsideration in accordance with this Order.

IT IS SO ORDERED.

s/ Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT JUDGE

DATED: April 2, 2014

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