

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

MARY COLLEEN NELSON,

Plaintiff,

v.

**COMMISSIONER OF
SOCIAL SECURITY,**

Defendant.

Case No. 2:14-cv-1363

JUDGE GREGORY L. FROST

Magistrate Judge Norah McCann King

OPINION AND ORDER

This matter is before the Court for consideration of the Magistrate Judge’s April 27, 2015 Report and Recommendation (“R&R”) (ECF No. 19). In that filing, the Magistrate Judge considered Plaintiff’s Statement of Errors and recommended that the Court sustain the same, reverse the Commissioner of Social Security’s (“Commissioner”) decision to deny benefits, and remand this action to the Commissioner for further consideration of Dr. Grodner’s September 2012 opinions.

The R&R advised the parties that, if any party sought review by the District Judge, that party must file objections to the R&R within fourteen (14) days. (ECF No. 19, at PAGEID # 745.) The R&R further advised the parties that their failure to object within fourteen days would “result 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 [R&R].” (*Id.* (citing *Thomas v. Arn*, 474 U.S. 140 (1985); *Smith v. Detroit Fed’n of Teachers, Local 231 etc.*, 829 F.2d 1380 (6th Cir. 1987); *United States v. Walters*, 638 F.2d 947 (6th Cir.1981)).)

The Court has reviewed the R&R. Noting that no objections have been filed, and that the time for filing such objections has expired, the Court **ADOPTS AND AFFIRMS** the R&R (ECF No. 19), **SUSTAINS** Plaintiff's Statement of Errors (ECF No. 14), **REVERSES** pursuant to 42 U.S.C. § 405(g), sentence four, the Commissioner's decision to deny benefits, and **REMANDS** this action to the Commissioner for further consideration of Dr. Grodner's September 2012 opinions. The Clerk is **DIRECTED** to enter judgment accordingly and terminate this case on the docket records of the United States District Court for the Southern District of Ohio, Eastern Division.

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE