

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

**CHRISTOPHER A. BURCHARD,**

**Plaintiff,**

**v.**

**Case No. 2:16-cv-227**

**CHIEF JUDGE EDMUND A. SARGUS, JR.**

**Magistrate Judge Kimberly A. Jolson**

**COMMISSIONER OF SOCIAL SECURITY,**

**Defendant.**

**ORDER**

Plaintiff brought this action under 42 U.S.C. §§ 405(g) and 1383(c) seeking review of a final decision of the Commissioner of Social Security (the “Commissioner”) denying his application for disability insurance benefits. On January 27, 2017, the United States Magistrate Judge recommended that the Court reverse the Commissioner’s non-disability finding and remand the case to the Commissioner and the Administrative Law Judge (“ALJ”) under sentence four of § 405(g). (Report & Recommendation at 1 [ECF No. 20].) Although the parties were advised of their right to object to the recommendation, and of the consequences of their failure to do so, there has been no objection. Accordingly, the Report and Recommendation [ECF No. 20] is **ADOPTED** and **AFFIRMED**. The Commissioner’s non-disability finding is **REVERSED**, and this action is **REMANDED** to the Commissioner and the ALJ for further proceedings.

**IT IS SO ORDERED.**

2-14-2017  
DATE

  
\_\_\_\_\_  
**EDMUND A. SARGUS, JR.**  
**CHIEF UNITED STATES DISTRICT JUDGE**