

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

Lonnie J. Trammell,

Plaintiff,

v.

Case No. 2:16-cv-547

Commissioner of
Social Security,

Defendant.

ORDER

This matter is before the court for consideration of the April 6, 2017, report and recommendation of the United States magistrate judge to whom this case was referred pursuant to 28 U.S.C. §636(b). The magistrate judge recommended that the court grant the Commissioner's motion for voluntary remand, and that this case be remanded to the Commissioner for further administrative proceedings and a new decision under 42 U.S.C. §405(g), sentence four.

The report and recommendation specifically advised the parties that failure to object to the report and recommendation within fourteen days of the report "will result in a waiver of the right to have the district judge review the Report and Recommendation de novo, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation." Doc. 16, p. 3. The time period for filing objections to the report and recommendation has expired, and no party has objected to the report and recommendation.

The court adopts the report and recommendation of the magistrate judge (Doc. 16). The motion for voluntary remand (Doc. 13) is granted. This case is remanded to the Commissioner under

§405, sentence four, for further administrative proceedings and a new decision. Upon remand, the Appeals Council will vacate all findings in the Administrative Law Judge's decision, and the Commissioner will conduct further proceedings and develop the administrative record as necessary to determine whether plaintiff is under a disability as defined by the Social Security Act. The clerk is directed to enter judgment remanding this case to the Commissioner.

Date: April 24, 2017

s/James L. Graham

James L. Graham
United States District Judge