

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

TINA WORDEN,

Plaintiff,

:

Case No. 3:08-cv-166

- vs -

:

District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

COMMISSIONER OF SOCIAL
SECURITY,

:

:

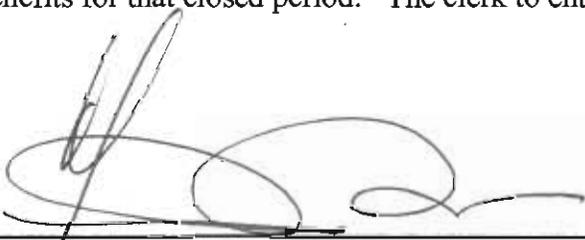
Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #11), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is ORDERED that the Commissioner's decision that Plaintiff is not disabled is AFFIRMED with respect to the period after October, 2005. The Commissioner's decision that Plaintiff was not disabled for the period during April, 2004, to October, 2005, is REVERSED and remanded for payment of benefits for that closed period. The clerk to enter judgment accordingly.

March 25, 2009.



Thomas M. Rose
United States District Judge