

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

MICHAEL SLATON,	:	Case No. 3:14-cv-341
Plaintiff,	:	Judge Thomas M. Rose Chief Magistrate Judge Sharon L. Ovington
v.	:	
CAROLYN W. COLVIN,	:	
Commissioner of the Social Security Administration,	:	
Defendant.	:	

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**ENTRY AND ORDER OVERRULING OBJECTIONS (DOC. 15) TO  
THE REPORT AND RECOMMENDATIONS (DOC. 13); ADOPTING THE  
REPORT AND RECOMMENDATIONS (DOC. 13) IN THEIR ENTIRETY;  
VACATING THE COMMISSIONER’S NON-DISABILITY FINDING;  
REMANDING THE APPLICATION FOR FURTHER CONSIDERATION  
UNDER 42 U.S.C. § 405(g); AND TERMINATING THIS CASE**

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This is an action under 42 U.S.C. § 405(g) for review of the decision of the Commissioner of the Social Security Administration (“Commissioner”) denying Plaintiff Michael Slaton’s application for Disability Insurance Benefits and Supplemental Security Income. On February 5, 2016, Chief Magistrate Judge Sharon L. Ovington entered a Report and Recommendations (Doc. 13), which recommended that the Court vacate the Commissioner’s non-disability finding and remand the matter to the Social Security Administration for further proceedings. On March 1, 2016, the Commissioner filed Objections (Doc. 15) to the Report and Recommendations. On March 15, 2016, Plaintiff filed a Response (Doc. 16) to the Objections. This matter is therefore ripe for the Court’s review.

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has made a *de novo* review of the record in this case. Upon said review, the Court finds that the

Commissioner's Objections (Doc. 15) to the Report and Recommendations (Doc. 13) are not well taken and they are hereby **OVERRULED**. The Court **ADOPTS** the Report and Recommendations (Doc. 13) in their entirety. The Commissioner's non-disability determination is therefore **VACATED**. No finding is made as to whether Plaintiff was under a disability within the meaning of the Social Security Act. This matter is **REMANDED** to the Social Security Administration under Sentence Four of 42 U.S.C. § 405(g) for further consideration consistent with the Report and Recommendations (Doc. 13), and the Clerk is **ORDERED** to terminate this case on the Court's docket.

**DONE** and **ORDERED** in Dayton, Ohio, this Thursday, March 17, 2016.

s/Thomas M. Rose

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE