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

REGINALD C. PANNELL,

Plaintiff, Case No. 3:14-cv-396

VS.

COMMISSIONER OF SOCIAL SECURITY,

District Judge Thomas M. Rose Magistrate Judge Michael J. Newman

Defendant.

## ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Michael J. Newman (Doc. #16), 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 Recommendation.

Accordingly, it is hereby **ORDERED** that:

- 1. The Report and Recommendation (Doc. #16) is **ADOPTED** in full;
- 2. The Commissioner's non-disability determination is **REVERSED**;
- 3. Plaintiff's request for a Sentence Six remand is **DENIED AS MOOT**;
- 4. This matter is **REMANDED** to the Commissioner under the Fourth Sentence of 42 U.S.C. § 405(g) for further proceedings; and
- 5. This case is terminated on the docket of this Court.

Date: June 20, 2016 THOMAS M. ROSE

THOMAS M. ROSE UNITED STATES DISTRICT JUDGE