

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

PHYLLIS J. KENNEDY,	:	
Plaintiff,	:	
vs.	:	Case No. 3:15cv00059
CAROLYN W. COLVIN, Commissioner of the Social Security Administration,	:	District Judge Thomas M. Rose Chief Magistrate Judge Sharon L. Ovington
Defendant.	:	

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**DECISION AND ENTRY**

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The Court has reviewed the Report and Recommendations of Chief United States Magistrate Judge Sharon L. Ovington (Doc. #13), to whom this case was originally 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 hereby **ORDERED** that:

1. The Report and Recommendations filed on January 13, 2016 (Doc. #13) is **ADOPTED** in full;
2. The Commissioner's Motion to Remand (Doc. #11) is **GRANTED**, in part, as to the requested remand to the Social Security Administration, and **DENIED**, in part, as to the request for further administrative proceedings;
3. The Commissioner's non-disability finding is reversed;

4. This matter is remanded to the Social Security Administration under Sentence 4 of 42 U.S.C. §405(g) for payment of benefits regarding Plaintiff Phyllis J. Kennedy's consolidated applications and benefits are awarded to Kennedy for the remaining period at issue in those applications; and
5. The case is terminated on the docket of this Court.

February 2, 2016

\*s/Thomas M. Rose

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Thomas M. Rose  
United States District Judge