

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

WILLIE D. BEMBRY,	:	Case No. 3:15-cv-344
	:	
Plaintiff,	:	District Judge Thomas M. Rose
	:	Magistrate Judge Sharon L. Ovington
vs.	:	
	:	
NANCY A. BERRYHILL,	:	
COMMISSIONER OF SOCIAL	:	
SECURITY,	:	
	:	
Defendant.		

**DECISION AND ENTRY**

The Court has conducted a *de novo* review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #14), to whom this case was originally referred pursuant to 28 U.S.C. § 636(b). Noting that no objections have been filed and that the time for filing such objections, if any, under Fed. R. Civ. P. 72(b), has expired, this Court hereby **ADOPTS** said Report and Recommendations.

It is therefore **ORDERED** that:

1. The Report and Recommendations filed on February 17, 2017 (Doc. #14) is **ADOPTED** in full;
2. The Commissioner’s non-disability finding be vacated;
3. No finding be made as to whether Plaintiff Willie D. Bembry was under a “disability” within the meaning of the Social Security Act;
4. This matter be **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, and this Decision and Entry; and
5. The case is terminated on the docket of this Court.

**IT IS SO ORDERED.**

Date: March 6, 2017

*\*/Thomas M. Rose*  
Thomas M. Rose  
United States District Judge