

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

|                        |   |                                     |
|------------------------|---|-------------------------------------|
| JACQUELINE MOORE,      | : | Case No. 3:16-cv-178                |
|                        | : |                                     |
| Plaintiff,             | : | District Judge Walter H. Rice       |
|                        | : | Magistrate Judge Sharon L. Ovington |
| vs.                    | : |                                     |
|                        | : |                                     |
| NANCY A. BERRYHILL,    | : |                                     |
| COMMISSIONER OF SOCIAL | : |                                     |
| SECURITY,              | : |                                     |
|                        | : |                                     |
| Defendant.             | : |                                     |

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**DECISION AND ENTRY**

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The Court has conducted a *de novo* review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #13), 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 August 2, 2017 (Doc. #13) is **ADOPTED** in full;
2. The Commissioner's non-disability finding is **VACATED**;
3. No finding is made as to whether Plaintiff Jacqueline Moore was under a "disability" within the meaning of the Social Security Act;
4. 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 and this Decision; and

5. The case is terminated on the docket of this Court.

**IT IS SO ORDERED.**

Date: 8-17-17



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Walter H. Rice  
United States District Judge