

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

MARIE L. TATE,	:	
Plaintiff,		
v.	:	Case No. 3:17-CV-371
COMMISSIONER OF SOCIAL SECURITY,	:	JUDGE WALTER H. RICE
Defendant.	:	

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DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE  
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #12);  
REVERSING NON-DISABILITY FINDING AND REMANDING MATTER  
TO COMMISSIONER UNDER THE FOURTH SENTENCE OF 42 U.S.C.  
§ 405(g) FOR PROCEEDINGS CONSISTENT WITH THIS OPINION;  
TERMINATION ENTRY

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On September 20, 2018, United States Magistrate Judge Michael J. Newman issued a Report and Recommendations, Doc. #12, recommending that the Court reverse the Commissioner's non-disability finding as unsupported by substantial evidence, and remand the matter to the Commissioner under the Fourth Sentence of 42 U.S.C. § 405(g) for proceedings consistent with this Opinion. Although the parties were advised of their right to file Objections to the Report and Recommendations, and of the consequences of failing to do so, no Objections were filed within the time allotted.

Based on the reasoning and citations of authority set forth by Magistrate Judge Newman, the Court ADOPTS said judicial filing in its entirety, REVERSES the

Commissioner's non-disability finding, and REMANDS the matter to the Commissioner for further proceedings consistent with this Opinion.

The captioned case is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

Date: October 10, 2018



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WALTER H. RICE  
UNITED STATES DISTRICT JUDGE