

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OHIO, WESTERN DIVISION

Julie Melissa Wuertz v. Commissioner of Social Security

Wuertz · No. 3:25-cv-742 · Decided April 8, 2026

SUMMARY

The United States District Court for the Northern District of Ohio adopted a magistrate judge’s Report and Recommendation after no party filed timely objections. The court reversed the Commissioner of Social Security’s denial of supplemental security income and remanded the case to the Commissioner and administrative law judge under Sentence Four of 42 U.S.C. § 405(g).

CASE DETAILS

COURT	United States District Court for the Northern District of Ohio, Western Division
WRITING FOR THE COURT	Jeffrey J. Helmick
JURISDICTION	United States District Court for the Northern District of Ohio, Western Division
DECIDED	April 8, 2026
DOCKET	3:25-cv-742
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The district court reviewed the Commissioner of Social Security's denial of Plaintiff's application for supplemental security income after a magistrate judge issued a Report and Recommendation recommending reversal and remand. No party filed objections.
STANDARD OF REVIEW	Because no party objected to the Report and Recommendation, the district court treated the failure to object as a waiver of subsequent review under Federal Rule of Civil Procedure 72(b)(2), 28 U.S.C. § 636(b)(1), and Local Civil Rule 72.3(b), and adopted the Report and Recommendation.
PRECEDENTIAL VALUE	nonprecedential district court order
PARTIES	Julie Melissa Wuertz v. Commissioner of Social Security

TOPICS

judicial review of agency action

administrative law

civil procedure

PRACTICE AREAS

Social Security

administrative law

federal civil procedure

QUESTIONS PRESENTED

1. Whether the parties' failure to file timely objections to the magistrate judge's Report and Recommendation waived subsequent review.
2. Whether the district court should adopt the Report and Recommendation and reverse and remand the Commissioner's decision under Sentence Four of 42 U.S.C. § 405(g).

HOLDINGS

1. A party's failure to file objections within the prescribed fourteen-day period constitutes a waiver of subsequent review of the Report and Recommendation.
2. The district court adopted the magistrate judge's Report and Recommendation, reversed the Commissioner's decision denying supplemental security income, and remanded the case to the Commissioner and the administrative law judge under Sentence Four of 42 U.S.C. § 405(g).

KEY QUOTATIONS

"I consider their failure to file objections to "constitute a waiver of subsequent review," Local R. 72.3(b), and adopt Judge Clay's R & R in its entirety as the final Order of this Court."

"The Commissioner's decision is reversed, and the case is remanded to the Commissioner and the ALJ under Sentence Four of § 405(g)."

FACTUAL BACKGROUND

Plaintiff sought supplemental security income from the Social Security Administration. The Commissioner denied her application. A magistrate judge recommended reversing that decision and remanding the matter to the Commissioner and the administrative law judge under Sentence Four of 42 U.S.C. § 405(g).

PROCEDURAL HISTORY

Magistrate Judge Darrell A. Clay issued a Report and Recommendation on March 23, 2026, recommending reversal of the Commissioner's decision and remand under Sentence Four of 42 U.S.C. § 405(g). The parties did not object within fourteen days. The district court adopted the Report and Recommendation in its entirety as the final order, reversed the Commissioner's decision, and remanded the case to the Commissioner and the administrative law judge.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The case is remanded to the Commissioner of Social Security and the administrative law judge under Sentence Four of 42 U.S.C. § 405(g), consistent with the magistrate judge's Report and Recommendation.

CASES CITED

- *Berkshire v. Dahl*, 928 F.3d 520, 530 (6th Cir. 2019)

OPINION

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION Julie Melissa Wuertz, Case No. 3:25-cv-742 Plaintiff, v. ORDER AND
JUDGEMENT ENTRY Commissioner of Social Security, Defendant. On March 23, 2026, United
States Magistrate Judge Darrell A. Clay issued a Report and Recommendation (“R & R”) recommending I reverse the Commissioner of Social Security’s decision denying Plaintiff’s application for supplemental security income (“SSI”) and remand the case to the Commissioner and the ALJ under Sentence Four of 42 U.S.C. § 405(g).

(Doc. No. 15). In the R & R, he notified the parties: Within 14 days after being served with a copy of this Report and Recommendation, a party may serve and file specific written objections to the proposed findings and recommendations of the Magistrate Judge. See Fed. R. Civ. P. 72(b)(2); see also 28 U.S.C. § 636(b)(1); Local Civ. R. 72.3(b).... Failure to file objections within the specified time may result in the forfeiture or waiver of the right to raise the issue on appeal, either to the district judge or in a subsequent appeal to the United States Court of Appeals, depending on how or whether the party responds to the Report and Recommendation.

Berkshire v. Dahl, 928 F.3d 520, 530 (6th Cir. 2019). (Id. at 37). More than fourteen days passed, and no party filed any objection to the R & R. I consider their failure to file objections to “constitute a waiver of subsequent review,” Local R. 72.3(b), and adopt Judge Clay’s R & R in its entirety as the final Order of this Court. (Doc. No. 15).

The Commissioner’s decision is reversed, and the case is remanded to the Commissioner and the ALJ under Sentence Four of § 405(g). So Ordered. s/ Jeffrey J. Helmick United States District Judge