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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

David A. Lipinski,
Plaintiff,
vs.
Carolyn W. Colvin,
Defendant.

No. CV 11-693-TUC-RCC (JR)
ORDER

Plaintiff David A. Lipinski filed this action pursuant to 42 U.S.C. § 405(g) of the Social Security Act for judicial review of the final decision of the Commissioner of the Social Security Administration, denying his application for disability insurance benefits.

This matter was referred to United States Magistrate Judge Jacqueline M. Rateau for all pretrial proceedings and report and recommendation in accordance with the provisions of 28 U.S.C. § 636(b)(1) and LRCiv 72.1 and LRCiv 72.2, Rules of Practice of the United States District Court for the District of Arizona.

On March 7, 2013, Magistrate Judge Jacqueline M. Rateau issued her Report and Recommendation (Doc. 17), recommending that the District Court, after its independent review of the record herein, remand this matter to the Administrative Law Judge to consider and further evaluate the medical records and lay witness testimony.

The Report and Recommendation advised the parties that they may file written objections within fourteen (14) days from the date of service of a copy of the Report and

1 Recommendation. *See* 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil
2 Procedure. No objections were filed.


3 The Court considers the Report and Recommendation to be thorough and well-
4 reasoned. After a thorough and de novo review of the record, the Court will **ADOPT** the
5 Recommendation of Magistrate Judge Rateau. Accordingly,

6 **IT IS HEREBY ORDERED** that Magistrate Judge Rateau’s Report and
7 Recommendation (Doc. 17) is hereby **ACCEPTED** and **ADOPTED** as the findings of fact
8 and conclusions of law by this Court.

9 **IT IS FURTHER ORDERED** that Plaintiff’s claim for benefits is REMANDED to
10 the Administrative Law Judge for further proceedings in accordance with the Report and
11 Recommendation.

12 **IT IS FURTHER ORDERED** that judgment be entered accordingly.

13 DATED this 27th day of March, 2013.

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18 Raner C. Collins
19 United States District Judge
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