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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CHERRELYN EMBERNATE,  
  
Plaintiff,  
  
v.  
  
NANCY A. BERRYHILL, Acting  
Commissioner of Social Security,  
  
Defendant.

No. 2:17-cv-0040 JAM DB

ORDER

This action was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636 and Local Rule 302(c)(15).

On February 14, 2018, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days after service of the findings and recommendations. Defendant has filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed February 14, 2018 (ECF No. 16) are adopted in full;
2. Plaintiff’s motion for summary judgment (ECF No. 10) is granted;
3. Defendant’s cross-motion for summary judgment (ECF No. 11) is denied;
4. The Commissioner’s decision is reversed;
5. This matter is remanded for further proceedings consistent with the findings and recommendations; and
6. The Clerk of the Court is ordered to enter judgment for plaintiff and close this case.

DATED: April 26, 2018

/s/ John A. Mendez  
UNITED STATES DISTRICT COURT JUDGE