

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT

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CARLOS M. VELEZ	:	3:13 CV 171 (JGM)
	:	
V.	:	
	:	
CAROLYN W. COLVIN,	:	
ACTING COMMISSIONER OF	:	
SOCIAL SECURITY	:	
	:	DATE: DECEMBER 3, 2015
-----X	:	

ORDER REGARDING RECENT FILINGS

On February 5, 2013, plaintiff filed this lawsuit with respect to the denial of plaintiff's application for Social Security Disability benefits and for Supplemental Security Income benefits by the Appeals Council on December 5, 2012. (Dkt. #1, at 1-3). On June 11, 2014, plaintiff filed his Motion for Order Reversing the Decision of the Commissioner or in the Alternative Motion for Remand for a Hearing (Dkt. #30), as to which defendant filed her Motion for an Order Affirming the Decision of the Commissioner on September 8, 2014 (Dkt. #33; see also Dkts. ##13-17, 19, 20-21, 26-29, 31-32, 34-39). On October 27, 2015, Chief Judge Janet C. Hall filed a Notice Regarding Appeals of Social Security Administration Decisions (Dkt. #40), in this case, and in all other Social Security files then pending before the U.S. Magistrate Judges in this district.

On Monday, November 23, 2015, this Magistrate Judge filed her fifty-page Recommended Ruling (Dkt. #41), which granted plaintiff's motion in part to the extent that another remand was ordered, and defendant's motion was denied. The Magistrate Judge was unaware that the parties had signed a Notice, Consent, and Reference of a Civil Action to a Magistrate Judge ["Consent Form"], with defendant signing such form on November 3, 2015 and plaintiff signing it sixteen days later. On Tuesday, November 24, 2015, the original

Consent Form was forwarded by the Clerk's Office to this Magistrate Judge's Chambers, which, in turn, forwarded the form to Chief Judge Hall for her endorsement. On Monday, November 30, 2015, Chief Judge Hall endorsed the form, at which time it was filed on CM/ECF. (Dkt. #42).¹

Within a matter of minutes, on December 2, 2015, defendant filed her Notice of Withdrawal of Consent to Jurisdiction by Magistrate Judge and Objection to the Recommended Ruling (Dkts. ##43-44), and because these two filings had not yet appeared on the electronic docket sheet on CM/ECF, this Magistrate Judge filed an Order directing the Clerk's Office to enter a judgment in favor of plaintiff. (Dkt. #45). Later on that day, plaintiff filed his Objection to Defendant's Notice of Withdrawal of Consent to Jurisdiction of Magistrate Judge. (Dkt. #46).

In light of the unusual course of events in this matter, the Magistrate Judge's Order filed December 2, 2015 (Dkt. #45) is hereby vacated. The Magistrate Judge will construe defendant's Objection, filed December 2, 2015, as a Motion for Reconsideration, as to which plaintiff will file a brief in opposition **on or before December 23, 2015**. The case shall remain with this Magistrate Judge.

Dated this 3rd day of December, 2015 at New Haven, Connecticut.

/s/ Joan G. Margolis, USMJ
Joan Glazer Margolis
United States Magistrate Judge

¹The court was closed on Thursday-Friday, November 26-27, 2015 for the Thanksgiving holiday.