

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT**

MICHAEL BUTLER

Plaintiff,

v.

CAROLYN W. COLVIN
ACTING COMMISSIONER OF SOCIAL
SECURITY

Defendant.

3:13-CV-00607 (CSH)

December 22, 2014

RULING AND ORDER ON RECOMMENDED RULING OF MAGISTRATE JUDGE

HAIGHT, Senior District Judge:

In a Recommended Ruling ("RR") filed on November 18, 2014 [Doc. 23], to which no timely objection has been made, Magistrate Judge Joan G. Margolis recommended that the action by plaintiff Michael Butler under § 205 of the Social Security Act, 42 U.S.C. §§ 405 (g) and 1383(c)(3), as amended, which sought review of a final decision by defendant Commissioner of Social Security ("SSA") denying plaintiff Disability Insurance Benefits ("DIB") and Supplemental Security Income ("SSI") benefits, be adjudicated by granting in part and denying in part plaintiff's motion to reverse the Commissioner's decision, and denying in part and granting in part the Commissioner's motion to affirm her decision.

Specifically, the thorough and careful RR correctly identifies areas and issues where the findings of the Administrative Law Judge ("ALJ") adverse to plaintiff are not subject to reversal by the Court. However, the RR also identifies other aspects of the ALJ's decision where errors were committed under the governing law and regulations, which require a remand in the interest of justice. This Court agrees with and accepts the Magistrate Judge's reasoning and recommendations in respect

of all these aspects of the case.

In consequence, and pursuant to 28 U.S.C. § 636(b)(1), the Court accepts in its entirety Judge Margolis's Recommended Ruling, which becomes the Judgment of the Court.

The motion of the plaintiff [Doc. 16] for an order reversing the decision of the Commissioner, or in the alternative for an order for remand of the case for a hearing before the Administrative Law Judge, is GRANTED IN PART and DENIED IN PART. The case is remanded for further proceedings consistent with Sections IV.C, D and E of the Recommended Ruling.

The motion of defendant Commissioner [Doc. 19] for an order affirming her decision denying plaintiff benefits is DENIED, subject to the remand directed in the preceding paragraph of this Order.

It is SO ORDERED.

Dated: New Haven, Connecticut
December 22, 2014

/s/ Charles S. Haight, Jr.
CHARLES S. HAIGHT, JR.
Senior United States District Judge