

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

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|--------------------------|---|---------------------|
| PAMELA B. NEELEY | : | CIVIL ACTION |
| | : | |
| v. | : | |
| | : | NO. 16-180 |
| CAROLYN W. COLVIN | : | |

ORDER


AND NOW, this 13th day of September 2017, upon considering Plaintiff's Request for review (ECF Doc. No. 2), Defendant's Response (ECF Doc. No. 7), Plaintiff's Motion for summary judgment (ECF Doc. No. 12) and Reply (ECF Doc. No. 16), Defendant's Motion for Summary Judgment (ECF Doc. No. 14), United States Magistrate Judge Sherry R. Fallon's extensive well-reasoned analysis in her August 25, 2017 Report and Recommendation (ECF Doc. No. 19) with no timely objections under Fed.R.Civ.P. 72, it is **ORDERED**:

1. Judge Fallon's August 25, 2017 Report and Recommendation (ECF Doc. No. 19) is **APPROVED** and **ADOPTED** as we **reverse** the Administrative Law Judge's October 10, 2014 decision and **remand** consistent with Judge Fallon's Report and Recommendation including identifying and resolving the conflicts between the vocational expert's occupational evidence and the guidance in the Dictionary of Occupational Titles;

2. Ms. Neeley's Motion (ECF Doc. No. 12) and the Commissioner's Motion (ECF Doc. No. 14) are **GRANTED in part** and **DENIED in part** as we order **remand** but deny the award of benefits at this stage without prejudice; and,

3. Mindful of the delay in resolving Ms. Neeley's request for over ten years and consistent with Fed.R.Civ.P. 1, the Commissioner shall undertake all steps to expedite this remand and file status memoranda not exceeding three pages on the progress consistent with

this Order and accompanying Memorandum on **October 27, 2017** and every sixty days thereafter until resolution or entry of a final decision by the Commissioner on remand.



KEARNEY, J.