IN THE UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF GEORGIA MACON DIVISION

KENNETH RAINWATER,	
Plaintiff,	
v.) CIVIL ACTION NO. 5:12-CV-337 (MTT)
CAROLYN W. COLVIN, Commissioner of Social Security Administration,	
Defendant.	

ORDER

This matter is before the Court on the Recommendation of United States Magistrate Judge Charles H. Weigle. (Doc. 14). The Magistrate Judge, having reviewed the case pursuant to 28 U.S.C. § 636 and 42 U.S.C. § 405(g), recommends reversing and remanding the Commissioner's denial of the Plaintiff's claim for Social Security disability insurance benefits because he cannot determine whether the decision is supported by substantial evidence based on the Administrative Law Judge's findings. Specifically, the Magistrate Judge found that the ALJ failed to adequately evaluate the Department of Veterans Affairs' disability rating and the Plaintiff's treating psychiatrist's findings. The Commissioner did not file an objection to the Recommendation.

The Court has reviewed the Recommendation, and the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge. The Recommendation is adopted and made the order of this Court. The Commissioner's

decision is **REVERSED and REMANDED** to the ALJ to articulate her reasons for discounting the VA rating and Dr. David Nichols's medical opinion.

SO ORDERED, this 4th day of September, 2013.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT