

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION

ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff, Cynthia Bunch, filed a request for judicial review of the Commissioner's decision that she is ineligible for Supplemental Security Income under Title XVI of the Social Security Act. The court referred the matter to the Magistrate Judge, who issued his Report and Recommendation. The Magistrate Judge concluded that the ALJ erred, and accordingly recommended remand. Neither party objects. Consequently, the court reviews the Report and Recommendation for clear error. *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999). Having considered the parties' arguments, the ALJ's decision, and the Report and Recommendation, this court is satisfied that the Magistrate Judge did not commit clear error. Therefore, the court **ADOPTS** the Magistrate Judge's

¹ At the time this case was filed, Carolyn W. Colvin was the Acting Commissioner of the Social Security Administration. Nancy A. Berryhill became the Acting Commissioner on January 20, 2017. When a public officer ceases to hold office while an action is pending, the officer's successor is automatically substituted as a party. Fed. R. Civ. P. 25(d). Later proceedings should be in the substituted party's name and the court may order substitution at any time. *Id.*

Report and Recommendation, **REVERSES** the decision of the ALJ, and **REMANDS** the matter for further proceedings consistent with the Report and Recommendation, all pursuant to sentence four of 42 U.S.C. § 405(g).

SO ORDERED this 1st day of February 2017.



RICHARD L. YOUNG, JUDGE
United States District Court
Southern District of Indiana

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