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WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

BRENDA WIMBERLY

CIVIL ACTION 12-1793

VERSUS

JUDGE HAIK

MICHAEL ASTRUE,
COMMISSIONER OF SOCIAL SECURITY MAGISTRATE JUDGE HANNA

JUDGMENT

This matter was referred to United States Magistrate Judge Patrick Hanna for Report and Recommendation. After an independent review of the record, and noting the absence of objections, this Court concludes that the Report and Recommendation of the Magistrate Judge is correct and adopts the findings and conclusions therein as its own. As such;

The decision of the Commissioner is **REVERSED** and **REMANDED** for further consideration in accordance with the ruling of this Court. In particular, the Commissioner should give the treating physician's opinions controlling weight, thoroughly evaluate Ms. Wimberly's residual functional capacity, and determine whether there are jobs existing in significant numbers in the national economy that she is capable of performing.

THUS DONE and **SIGNED** on this the 16th day of September, 2013.

JUDGE RICHARD T. HAIK, SR.
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA