

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRIAN J MITCHELL,

Case No. 13-11138

Plaintiff,

ARTHUR J. TARNOW

SENIOR UNITED STATES DISTRICT JUDGE

v.

MAGISTRATE JUDGE MICHAEL J. HLUCHANIUK

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION [22] AND
GRANTING IN PART AND DENYING IN PART DEFENDANT'S MOTION
FOR SUMMARY JUDGMENT [20] AND GRANTING IN PART AND
DENYING IN PART PLAINTIFF'S MOTION FOR SUMMARY
JUDGMENT [16] AND REMANDING FOR FURTHER PROCEEDINGS**

On January 29, 2014, Magistrate Judge Hluchaniuk issued a Report and Recommendation [22] that Defendant Commissioner of Social Security's Motion for Summary Judgment [20] be GRANTED in part and DENIED in part and Plaintiff Brian Mitchell's Motion for Summary Judgment [16] be GRANTED in part and DENIED in part. Neither party has filed any objection to the Report and Recommendation.

The Court having reviewed the record, the Report and Recommendation [22] of the Magistrate Judge is hereby **ADOPTED** and is entered as the findings and conclusions of the Court.

IT IS ORDERED that Defendant's Defendant Commissioner of Social Security's Motion for Summary Judgment [20] be **GRANTED** in part and **DENIED** in part and Plaintiff Brian Mitchell's Motion for Summary Judgment [16] be **GRANTED** in part and **DENIED** in part.

IT IS FURTHER ORDERED that this matter is **REMANDED** for further proceedings in accordance with the Report and Recommendation [22].

SO ORDERED.

s/Arthur J. Tarnow
ARTHUR J. TARNOW
SENIOR U.S. DISTRICT JUDGE

Dated: March 4, 2014