UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHRISTINA ALVAREZ,

Plaintiff, Civil Action No. 14-CV-12429

v. Honorable Patrick J. Duggan

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.
_____/

ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION, GRANTING IN PART AND DENYING IN PART PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT, DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT, and REMANDING FOR FURTHER PROCEEDINGS PURSUANT TO SENTENCE FOUR OF 42 U.S.C. § 405(g)

On June 20, 2014, Plaintiff filed this lawsuit challenging the final decision of the Commissioner denying her application for disability insurance benefits. The parties filed cross-motions for summary judgment, which were referred to Magistrate Judge David R. Grand.

On May 28, 2015, Magistrate Judge Grand issued a Report and Recommendation (R&R) recommending that the Court (1) grant Plaintiff's motion for summary judgment to the extent it seeks remand and deny the motion to the extent it seeks an award of benefits, (2) deny Defendant's motion for summary

judgment, and (3) remand the case for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). At the conclusion of the R&R, Magistrate Judge Grand advises the parties that they may object and seek review of the R&R within fourteen days. R&R at 17 (ECF No. 16). He further specifically advises the parties that "[f]ailure to file specific objections constitutes a waiver of any further right of appeal." *Id.* Neither party has filed objections to the R&R, and the time to do so has expired.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by the Magistrate Judge. The Court therefore adopts the Magistrate Judge's R&R. Accordingly,

IT IS ORDERED that Plaintiff's motion for summary judgment is **GRANTED** to the extent it seeks a remand and **DENIED** to the extent it seeks an immediate award of benefits;

IT IS FURTHER ORDERED that Defendant's motion for summary judgment is **DENIED**.

IT IS FURTHER ORDERED that the matter is remanded for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

Dated: June 26, 2015

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copies to:

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