

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

THOMAS JAMES FICK,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 18-13427

SENIOR U.S. DISTRICT JUDGE  
ARTHUR J. TARNOW

U.S. MAGISTRATE JUDGE  
DAVID R. GRAND

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**ORDER ADOPTING THE REPORT AND RECOMMENDATION [19]; GRANTING IN PART AND DENYING IN PART PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT [14]; AND DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT [17]**

Plaintiff, Thomas James Fick, has sought judicial review of an Administrative Law Judge (ALJ) decision denying his application for disability benefits. On September 17, 2019, the Magistrate Judge issued a Report and Recommendation ("R&R") [Dkt. # 19] on the parties' motions for summary judgment [14, 17]. Neither party filed an objection to the R&R. The Magistrate Judge determined that the matter should be remanded because the Administrative Law Judge ("ALJ") discounted the opinions of Mr. Fick's treating mental health providers without supporting his decision with substantial evidence from the record.

The Court having reviewed the record, the Report and Recommendation [19] is hereby **ADOPTED** and entered as the findings and conclusions of the Court.

Accordingly,

**IT IS ORDERED** that Plaintiff's Motion for Summary Judgment [14] is **GRANTED** insofar as it seeks remand and **DENIED** insofar as it seeks an award of benefits.

**IT IS FURTHER ORDERED** that Defendant's Motion for Summary Judgment [17] is **DENIED**.

**IT IS FURTHER ORDERED** that this case be **REMANDED** to the Commissioner for further proceedings consistent with this Order and the Report and Recommendation.

**SO ORDERED.**

Dated: October 9, 2019

s/Arthur J. Tarnow  
Arthur J. Tarnow  
Senior United States District Judge