

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Shawn Patrick Mclevis,

Civil No. 14-1426 (DWF/HB)

Plaintiff,

v.

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

Carolyn W. Colvin, Acting Commissioner  
of Social Security,

Defendant.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Hildy Bowbeer dated July 10, 2015. (Doc. No. 23.)

The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. No objections have been filed to that Report and Recommendation in the time period permitted. Rather, both Plaintiff and Defendant have filed Non-Objection Responses to the Report and Recommendation. (Doc. Nos. 24 & 25.)

Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

**ORDER**

1. Magistrate Judge Hildy Bowbeer's July 10, 2015 Report and Recommendation (Doc. No. [23]) is **ADOPTED**.

2. Plaintiff Shawn Patrick Mclevis's Motion for Summary Judgment (Doc. No. [15]) is **GRANTED IN PART** and **DENIED IN PART**, as set forth fully in the Magistrate Judge's Report and Recommendation.

3. Defendant Commissioner's Motion for Summary Judgment (Doc. No. [19]) is **GRANTED IN PART** and **DENIED IN PART**, as set forth fully in the Magistrate Judge's Report and Recommendation.

4. The decision of the Commissioner is **REVERSED**, and the case is **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with the Magistrate Judge's Report and Recommendation.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: August 12, 2015

s/Donovan W. Frank  
DONOVAN W. FRANK  
United States District Judge