

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

LAKESHIA BRAGGS

PLAINTIFF

v.

CIVIL ACTION NO. 3:13-CV-334-CWR-FKB

**CAROLYN W. COLVIN,
COMMISSIONER, U.S. SSA**

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court pursuant to the Report and Recommendation of United States Magistrate Judge F. Keith Ball [Docket No. 14], which was entered on August 22, 2014. Pursuant to 28 U.S.C. § 636, the Report and Recommendation clearly notified the parties that “failure to file written objections to the proposed findings, conclusions, and recommendation contained within [the] report and recommendation within fourteen (14) days after being served with a copy shall bar that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court.” [Docket No. 14, at 9]. This Court, finding that there has been no submission of written objections by any party, hereby adopts the Report and Recommendation as the order of this Court. Plaintiff’s Motion for Summary Judgment [Docket No. 9] is, therefore, granted in part and denied in part, and the Defendant’s Motion to Affirm the Decision of the Commissioner [Docket No. 11] is denied. The Commissioner’s decision is vacated, and this matter is “remanded for specific consideration of Listing 112.05(D) and further development of the record as to the claimant’s intellectual functioning ability.” [Docket No. 14, at 7, 9].

SO ORDERED, this the 5th day of September, 2014.

s/Carlton W. Reeves
UNITED STATES DISTRICT JUDGE