

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

JOHN CLARK

PLAINTIFF

V.

CIVIL ACTION NO. 3:16-CV-751-DPJ-RHW

COMMISSIONER NANCY A.BERRYHILL

DEFENDANT

ORDER

This social-security appeal is before the Court on the Report and Recommendation [16] of Magistrate Judge Robert H. Walker. Judge Walker recommended granting Plaintiff John Clark's motion for summary judgment [11] and denying the Commissioner's motion to affirm [13]. The Commissioner has notified the Court that it does not intend to file an objection [17] to the Report and Recommendation.

Accordingly, the Report and Recommendation [16] is adopted as the opinion of the Court. Plaintiff's motion for summary judgment [11] is granted; the Commissioner's motion to affirm [13] is denied. This matter is remanded to the Commissioner for further proceedings.

A separate judgment will be entered.

**SO ORDERED AND ADJUDGED** this the 23rd day of February, 2018.

*s/ Daniel P. Jordan III*  
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CHIEF UNITED STATES DISTRICT JUDGE