

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

MICHAEL D. PIPKINS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:12CV00057 AGF/LMB
)	
CAROLYN COLVIN, ¹ Acting)	
Commissioner of Social Security,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

Currently before the Court is the Report and Recommendation of United States Magistrate Judge Lewis Blanton, to whom this matter was referred for recommended disposition pursuant to 28 U.S.C. § 636(b). On August 12, 2013, Judge Blanton filed his Report and Recommendation, recommending that the Court reverse the decision of the Administrative Law Judge to deny Plaintiff disability insurance benefits under Title II of the Social Security Act (“the Act”), 42 U.S.C. § 401, *et seq.*, and supplemental security income under Title XVI of the Social Security Act, 42 U.S.C. § 1381, *et seq.*, and remand this case to the Commissioner for further proceedings consistent with this Report and Recommendation. (Doc. No. 19.) Neither party has filed objections to the Report and Recommendation and the time to do so has expired.

¹ Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin is substituted for Michael J. Astrue as the Defendant in this suit. No further action needs to be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).


Upon careful consideration of the Report and Recommendation and the record in this case, the Court concurs with the recommendation of the Magistrate Judge that the Administrative Law Judge's decision in this matter should be reversed and remanded, pursuant to sentence four of 42 U.S.C. § 405(g), to the Commissioner for further proceedings consistent with this Report and Recommendation.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge (Doc. No. 19) is **SUSTAINED, ADOPTED, and INCORPORATED** herein.

IT IS FURTHER ORDERED that the decision of the Commissioner denying Plaintiff's application for disability insurance benefits under Title II of the Social Security Act and supplemental security income under Title XVI of the Social Security Act is **REVERSED and REMANDED**.

A separate Judgment shall accompany this Memorandum and Order.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 30th day of August, 2013.