

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

TIMOTHY M. EGAN,)
)
 Plaintiff,)
)
 v.)
)
 CAROLYN W. COLVIN,)
 Acting Commissioner of Social Security,)
)
 Defendant.)

No. 4:13-CV-719 CAS

ORDER

This matter is before the Court pursuant to the Report and Recommendation of United States Magistrate Judge Terry I. Adelman filed July 3, 2014. See 28 U.S.C. § 636(b). The Magistrate Judge recommended that the Court grant plaintiff’s request to reverse the decision of the Commissioner and order a new hearing, because the Administrative Law Judge violated plaintiff’s due process rights by providing less than a full and fair hearing, and by stopping the hearing and failing to reconvene it at a later date. Neither party has filed an objection to the recommendation.

After careful review of the matter, the Court concurs with the recommendation of the Magistrate Judge that the Commissioner’s decision in this matter should be reversed pursuant to sentence four of 42 U.S.C. § 405(g), and this case remanded for a new hearing on plaintiff’s application for Disability Income Benefits under Title II of the Social Security Act.

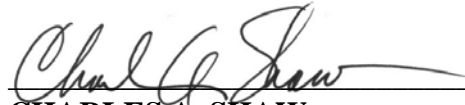
Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge is **sustained, adopted** and **incorporated** herein. [Doc. 23]

IT IS FURTHER ORDERED that the decision of the Commissioner is **REVERSED**.

IT IS FURTHER ORDERED that pursuant to sentence four of 42 U.S.C. § 405(g), this case is **REMANDED** to the Commissioner for a new hearing.

An appropriate judgment of remand will accompany this order.



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 21st day of July, 2014.