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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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WILLIAM E. AVELLO,

Plaintiff,

v.

CAROLYN W. COLVIN,

Defendant.

Case No.: 2:13-cv-00504-RFB-GWF

**ORDER ACCEPTING REPORT &
RECOMMENDATION OF
MAGISTRATE JUDGE
GEORGE W. FOLEY**

10 Before the Court for consideration is the Report and Recommendation (ECF No. 51) of
11 the Honorable George W. Foley, Jr., United States Magistrate Judge, entered September 16,
12 2014.

13 Pursuant to Local Rule IB 3-2(a), objections were due by October 3, 2014. No objections
14 have been filed. The Court has reviewed the record in this case and concurs with Magistrate
15 Judge's recommendation(s) that (ECF No. 32) Plaintiff's Motion to Reverse or Remand the
16 Commissioner's Decision Pursuant to Sentence Four; Plaintiff's (ECF No. 34) Second Motion to
17 Reverse or Remand the Commissioners Decision Pursuant to Sentence Six; and the
18 Commissioner's (ECF No. 44) Motion for Remand Pursuant to Sentence Four of 42 U.S.C.
19 Section 405(g) be **Granted in Part and Denied in Part**, and that this case be remanded to the
20 Social Security Administration for further determination of when Plaintiff became disabled
21 within the meaning of the Social Security Act. Therefore, the Court has determined that
22 Magistrate Judge's Recommendation should be **ACCEPTED** and **ADOPTED** to the extent that
23 it is not inconsistent with this opinion.

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1 **IT IS THEREFORE ORDERED** that the Report and Recommendation (ECF No. 51) is
2 **ACCEPTED and ADOPTED in full.** (ECF No. 32) Plaintiff's Motion to Reverse or Remand
3 the Commissioner's Decision Pursuant to Sentence Four; Plaintiff's (ECF No. 34) Second Motion
4 to Reverse or Remand the Commissioners Decision Pursuant to Sentence Six; and the
5 Commissioner's (ECF No. 44) Motion for Remand Pursuant to Sentence Four of 42 U.S.C.
6 Section 405(g) be **Granted in Part and Denied in Part**, and that this case be remanded to the
7 Social Security Administration for further determination of when Plaintiff became disabled
8 within the meaning of the Social Security Act.

9 **The Clerk shall enter judgment accordingly and close case.**

10 **DATED** this 31st day of October, 2014.

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RICHARD F. BOULWARE II
United States District Court Judge