

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**CORNITA M. APACHITO,**

**Plaintiff,**

v.

**No. 17-cv-0504 JCH/SMV**

**NANCY A. BERRYHILL,  
Acting Commissioner of Social Security Administration,**

**Defendant.**

**ORDER ADOPTING MAGISTRATE JUDGE'S  
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on the Magistrate Judge's Proposed Findings and Recommended Disposition ("PF&RD") [Doc. 38], filed on July 30, 2018. On reference by the undersigned, [Doc. 19], the Honorable Stephan M. Vidmar, United States Magistrate Judge, considered the entire administrative record and found that the Administrative Law Judge's findings at step three were not supported by substantial evidence. Accordingly, he recommended that the case be remanded. No party has timely objected to the PF&RD.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that the Magistrate Judge's Proposed Findings and Recommended Disposition [Doc. 38] are **ADOPTED**; Plaintiff's Motion to Reverse or Remand Administrative Agency Decision [Doc. 33] is **GRANTED**; the Commissioner's final decision is reversed; and this case is remanded for further proceedings in accordance with the PF&RD [Doc. 38].

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
**JUDITH C. HERRERA**  
United States District Judge