

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

---

KELLY BROWN,

Plaintiff,

-v-

11-CV-1522

CAROLYN W. COLVIN, Commissioner of  
Social Security,

Defendant.

---

APPEARANCES:

LACHMAN & GORTON  
Attorneys for Plaintiff  
P.O. Box 89  
1500 East Main Street  
Endicott, NY

OF COUNSEL:

PETER A. GORTON, ESQ.

OFFICE OF REGIONAL GENERAL  
COUNSEL

Attorneys for Defendant  
Social Security Administration  
Region II  
26 Federal Plaza, Room 3904  
New York, NY 10278

DAVID L. BROWN, ESQ.

DAVID N. HURD  
United States District Judge

**DECISION and ORDER**

Plaintiff Kelly Brown filed this action seeking judicial review of the unfavorable portion of the Commissioner's decision which denied her some benefits under the Social Security Act. By Report-Recommendation dated March 6, 2013, the Honorable Victor E. Bianchini,

United States Magistrate Judge, recommended that the Commissioner's motion for judgment on the pleadings be denied, plaintiff's motion be granted, and the case remanded for further proceedings. No objections to the Report-Recommendation were filed.

Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Accordingly, it is

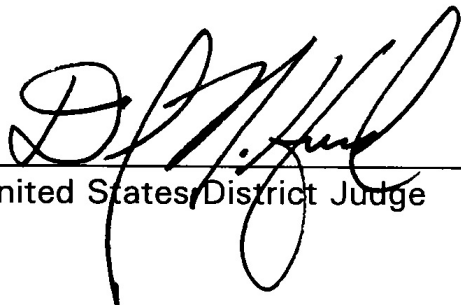
ORDERED that

1. Plaintiff's motion for judgment on the pleadings is GRANTED; and
2. The Commissioner's decision is VACATED and the matter REMANDED for further

consideration consistent with the Report-Recommendation.

IT IS SO ORDERED.

Dated: July 8, 2013  
Utica, New York.

  
United States District Judge