

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

---

JASON SHOWERS

Plaintiff,

-v.-

Civil Action No.  
3:13-cv-1147 (GLS/ESH)

CAROLYN W. COLVIN,  
Commissioner of Social  
Security

Defendant.

---

APPEARANCES:

OF COUNSEL:

**FOR THE PLAINTIFF:**

Lachman, Gorton Law Firm  
P.O. Box 89  
1500 East Main Street  
Endicott, New York 13761-0089

PETER A. GORTON, ESQ.

Office of Nancy J. Meserow  
7540 SW 51<sup>st</sup> Ave.  
Portland, Oregon 97219

NANCY J. MESEROW, ESQ.

**FOR THE DEFENDANT:**

Social Security Administration  
Office of Regional General Counsel  
Region II  
26 Federal Plaza - Room 3904  
New York, New York 10278

JOANNE JACKSON PENGELLY,  
ESQ.

GARY L. SHARPE,  
CHIEF JUDGE

**ORDER**

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge Earl S. Hines, duly filed February 17, 2015. Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

ORDERED that the Report-Recommendation of Magistrate Judge Earl S. Hines filed February 17, 2015 (Dkt. No. 17) is ACCEPTED in its entirety for the reasons stated therein; and it is further

ORDERED that the Commissioner's decision denying disability benefits is REVERSED and the case is REMANDED pursuant to 42 U.S.C. § 405(g), sentence four, for further proceedings; and it is further

ORDERED that the Clerk close this case and provide a copy of this Order to the parties in accordance to the local rules.

IT IS SO ORDERED.

Dated:        March 25, 2015  
                  Albany, New York

  
\_\_\_\_\_  
Gary L. Sharpe  
Chief Judge  
U.S. District Court