

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SANITA TEEKASINGH,

Plaintiff,

v.

3:13-CV-01375
(GTS/WBC)

CAROLYN W. COLVIN,
Commissioner of Social Security

Defendant.

APPEARANCES:

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U.S. SOCIAL SECURITY ADMIN.
OFFICE OF REG'L GEN. COUNSEL
REGION II

Counsel for Defendant
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OF COUNSEL:

PETER A. GORDON, ESQ.

BENIL ABRAHAM, ESQ.
JOANNE JACKSON PENGELLY, ESQ.

GLENN T. SUDDABY, Chief United States District Judge

DECISION and ORDER

Currently before the Court, in this Social Security action filed by Sanita Teekasingh (“Plaintiff”) against the Commissioner of Social Security (“Defendant” or “the Commissioner”) pursuant to 42 U.S.C. §§ 405(g) and 1383(c)(3), is the Report and Recommendation of United States Magistrate Judge William B. Mitchell Carter, filed September 15, 2015, recommending that Plaintiff’s motion be granted in part, to the extent that it seeks remand under sentence four of 42 U.S.C. § 405(g), and that Defendant’s motion be denied. (Dkt. No. 29.) Objections to the Report and Recommendation have not been filed.

A district court reviewing a magistrate judge's Report and Recommendation "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). Parties may raise objections to the magistrate judge's Report and Recommendation, but they must be "specific written objections," and must be submitted "[w]ithin 14 days after being served with a copy of the recommended disposition." Fed. R. Civ. P. 72(b)(2); *accord*, 28 U.S.C. § 636(b)(1)(C). "Where, however, an objecting party makes only conclusory or general objections, or simply reiterates his original arguments, the Court reviews the Report and Recommendation only for clear error." *Caldwell v. Crosset*, 09- CV-0576, 2010 WL 2346330, at *1 (N.D.N.Y. June 9, 2010) (citing *Farid v. Bouey*, 554 F. Supp. 2d 301, 307 [N.D.N.Y. 2008]).

After carefully reviewing the relevant filings in this action, the Court can find no clear error in the Report and Recommendation. Magistrate Judge Carter employed the proper standards, accurately recited the facts, and reasonably applied the law to those facts. (Dkt. No. 29.)

ACCORDINGLY, it is

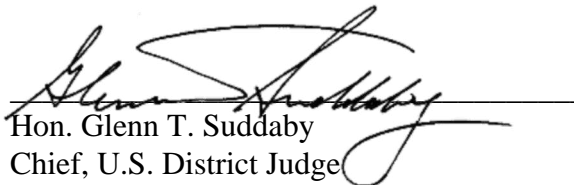
ORDERED that Magistrate Judge Carter's Report and Recommendation (Dkt. No. 29) is **ACCEPTED** and **ADOPTED** in its entirety; and it is further

ORDERED that Plaintiff's motion for judgment on the pleadings (Dkt. No. 14, 20, 27) is **GRANTED** in part, to the extent that it seeks remand under sentence four of 42 U.S.C. § 405(g); and it is further

ORDERED that the Commissioner's determination is **VACATED**; and it is further

ORDERED that the matter is **REMANDED** to the Commissioner of Social Security for further proceedings consistent with the specific instructions outlined in the Report and Recommendation.

Dated: October 9, 2015
Syracuse, New York


Hon. Glenn T. Suddaby
Chief, U.S. District Judge