

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

ANGELICA OCASIO,

Plaintiff,

**3:14-cv-1096
(GLS/ATB)**

v.

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, NY 13761-0089

PETER A. GORTON, ESQ.

FOR THE DEFENDANT:

HON. RICHARD S. HARTUNIAN
United States Attorney
100 South Clinton Street
Syracuse, NY 13261

AMANDA J. LOCKSHIN
DAVID L. BROWN
SUSAN J. REISS
Special Assistant U.S. Attorney

Steven P. Conte
Regional Chief Counsel
Social Security Administration
Office of General Counsel, Region II
26 Federal Plaza, Room 3904
New York, NY 10278

Gary L. Sharpe
Senior District Judge

ORDER

The above-captioned matter comes to this court following a Report and Recommendation by Magistrate Judge Andrew T. Baxter, duly filed on April 26, 2016. (Dkt. No. 25.) 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 Report-Recommendation for clear error, it is hereby

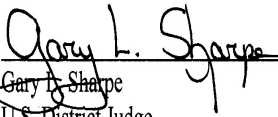
ORDERED that the Report and Recommendation (Dkt. No. 25) is **ADOPTED** in its entirety; and it is further

ORDERED that the decision of the Commissioner be **REVERSED** and this case **REMANDED**, pursuant to sentence four of 42 U.S.C. § 405(g), for a proper evaluation of the medical opinion and other evidence, an appropriate determination of plaintiff's residual functional capacity, and other further proceedings, consistent with the Report; and it is further

ORDERED that the Clerk provide a copy of this Order to the parties in accordance with the Local Rules.

IT IS SO ORDERED.

June 16, 2016
Albany, New York


Gary L. Sharpe
U.S. District Judge