

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ARTEISHA HARRIS,

Plaintiff,

-v-

11-CV-1497

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

APPEARANCES:

OLINSKY LAW GROUP
Attorneys for Plaintiff
300 S. State Street
Suite 420
Syracuse, NY 13202

OFFICE OF REGIONAL GENERAL
COUNSEL

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

DAVID N. HURD
United States District Judge

OF COUNSEL:

BRANDON W. SAWYER, ESQ.

HOWARD D. OLINSKY, ESQ.

VERNON NORWOOD, ESQ.

DECISION and ORDER

Plaintiff Arteisha Harris filed this action seeking judicial review of a final decision of the Commissioner of Social Security denying her application for child's insurance benefits and Supplemental Security Income benefits under the Social Security Act. By Report-Recommendation dated May 2, 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 this case be remanded for further proceedings. No objections to the Report-Recommendation were filed.

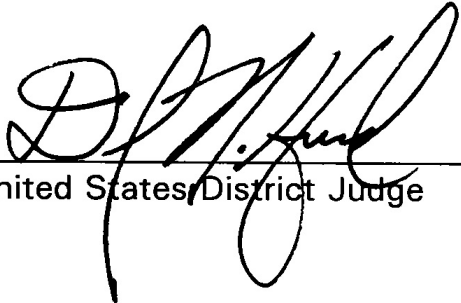
Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Accordingly, it is

ORDERED that

1. The Commissioner's motion is DENIED;
2. Plaintiff's motion is GRANTED; and
3. The decision of the Commissioner is REVERSED, and this case is REMANDED to the Commissioner pursuant to sentence four of 42 U.S.C. § 405 (g) for further administrative proceedings consistent with this Report-Recommendation.

IT IS SO ORDERED.


United States District Judge

Dated: September 18, 2013
Utica, New York.