UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK HOUEN TIM Plaintiff, -V.-Civil Action No. 6:12-cv-1761 (GLS/ESH) CAROLYN W. COLVIN, Acting Commissioner of Social Security Defendant. OF COUNSEL: APPEARANCES: FOR THE PLAINTIFF: Office of Peter M. Hobaica, LLC B. BROOKS BENSON, ESQ. 2045 Genesee Street Utica, New York 13501 FOR THE DEFENDANT: Social Security Administration JASON PECK, ESQ. Office of Regional General Counsel **Region II** 26 Federal Plaza - Room 3904 New York, New York 10278 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 January 31,

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2014. 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 January 31, 2014 (Dkt. No. 16) 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 of the Court is to mail copies of the Order to the parties in accordance with the court's local rules.

IT IS SO ORDERED.

Dated: March 4, 2014 Albany, New York