

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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KATIE BOHN,

Plaintiff,

v.

7:10-CV-1078

COMMISSIONER OF SOCIAL  
SECURITY,

Defendants.

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THOMAS J. McAVOY  
Senior United States District Judge

**DECISION and ORDER**

This matter brought pursuant to section 205(g) of the Social Security Act, 42 U.S.C. § 405(g) was referred to the Hon. David E. Peebles, United States Magistrate Judge, for a Report-Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rules 72.3(c).

No objections to the March 5, 2012 Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, the Court adopts the Report-Recommendation for the reasons stated herein.

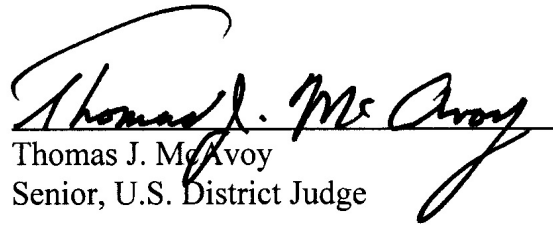
It is, therefore, ORDERED that:

- (1) Defendant's motion for judgment on the pleadings is DENIED;
- (2) Plaintiff's motion for judgment on the pleadings is GRANTED; and

(3) The Commissioner's finding of no disability is VACATED and the matter REMANDED to the Commissioner for further proceedings consistent with the court's findings.

IT IS SO ORDERED.

Dated: March 28, 2012

  
Thomas J. McAvoy  
Senior, U.S. District Judge