UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

BONNIE S. DUMAS,

Plaintiff,

7:13-CV-1099 (GTS/TWD)

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

APPEARANCES:

OF COUNSEL:

LAWRENCE D. HASSELER, ESQ.

Special Assistant U.S. Attorney

CONBOY, McKAY, BACHMAN & KENDALL, LLP

Counsel for Plaintiff

307 State Street

Carthage, New York 13619

SOCIAL SECURITY ADMINISTRATION SERGEI ADEN, ESQ.

OFFICE OF REG'L GEN. COUNSEL-REGION II

Counsel for Defendant

26 Federal Plaza, Room 3904

New York, New York 10278

GLENN T. SUDDABY, United States District Judge

DECISION and ORDER

The above-captioned matter comes to the Court following a Report-Recommendation by United States Magistrate Judge Therèse Wiley Dancks, filed on March 19, 2015, recommending that (1) Plaintiff's motion for judgment on the pleadings be granted in part, (2) the Commissioner's decision denying disability benefits be reversed, and (3) the case be remanded to the Commissioner for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). (Dkt. No. 14.) The parties have advised the Court that they do not intend to file objections to the Report-Recommendation. After carefully reviewing all of the papers herein, including Magistrate Judge Dancks' thorough Report-Recommendation, the Court can

find no clear error in the Report-Recommendation. As a result, the Report-Recommendation is accepted and adopted in its entirety.

ACCORDINGLY, it is

ORDERED that Magistrate Judge Dancks' Report-Recommendation (Dkt. No. 12) is

<u>ACCEPTED</u> and <u>ADOPTED</u> in its entirety; and it is further

ORDERED Defendant's motion for judgment on the pleadings (Dkt. No. 11) is **DENIED**; and it is further

ORDERED that Plaintiff's motion for judgment on the pleadings (Dkt. No. 10) is

GRANTED in part, as recommended in the Report-Recommendation; and it is further

ORDERED that the Commissioner's decision denying disability benefits is

REVERSED; and it is further

ORDERED that this matter is **REMANDED** to the Commissioner for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

Dated: March 26, 2015

Syracuse, New York

Hon. Glenn T. Suddaby

U.S. District Judge