

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ALFRED T. DUPRE,

Plaintiff,

v.

7:13-CV-1367

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendants.

THOMAS J. McAVOY
Senior United States District Judge

DECISION and ORDER

This action, brought pursuant to 42 U.S.C. §§ 405(g) and 1383(c)(3) for a review of the final determination of the Commissioner of Social Security, was referred by this Court to the Honorable Thérèse Wiley Dancks, United States Magistrate Judge, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b) and Local Rule 72.3(c).

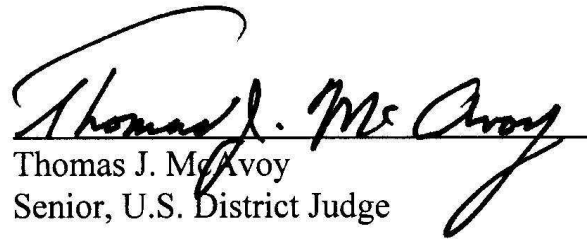
In the Report-Recommendation, Magistrate Judge Dancks recommends that the case be remanded to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings. No objections to the Report-Recommendation dated February 25, 2015 have been filed. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation for the reasons stated therein.

For the foregoing reasons, the Court **ADOPTS** the Report and Recommendation,

dk. # 14, and **ORDERS** that the case be remanded to the Commissioner for proceedings consistent with the Magistrate Judge's Report-Recommendation.

IT IS SO ORDERED.

Dated: March 25, 2015


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