

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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SHERRY KENNEDY,

Plaintiff,

8:09-CV-0143  
(GTS/DEP)

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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APPEARANCES:

OF COUNSEL:

OFFICE OF JUDITH A. PAREIRA  
Counsel for Plaintiff  
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Saranac Lake, NY 12983

JUDITH A. PAREIRA, ESQ.

SOCIAL SECURITY ADMINISTRATION  
OFFICE OF REGIONAL GEN. COUNSEL  
Counsel for Defendant  
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New York, NY 10278

CHRISTOPHER J. BRACKETT, ESQ.  
DENNIS J. CANNING, ESQ.  
SOMMATTIE RAMRUP, ESQ.

HON. GLENN T. SUDDABY, United States District Judge

**DECISION and ORDER**

The above-captioned action comes to this Court following a Report-Recommendation by United States Magistrate Judge David E. Peebles, filed on June 14, 2010, recommending that Plaintiff's motion for judgment on the pleadings be granted and the Commissioner's decision denying disability benefits be vacated, and the action be remanded back to the Commissioner for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g). (Dkt. No. 16.) No Objections to the Report-Recommendation have been filed, and the time in which to do so has expired. After carefully reviewing all of the papers herein, including Magistrate Judge Peebles' thorough Report-Recommendation, the Court can find no error in the Report-Recommendation,

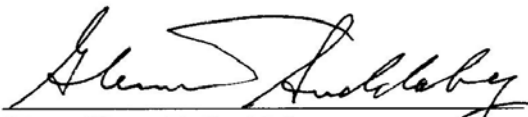
clear or otherwise. As a result, the Report-Recommendation is accepted and adopted in its entirety; and the action is remanded back to the Commissioner for further proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

**ACCORDINGLY**, it is

**ORDERED** that Magistrate Judge Peebles' Report-Recommendation (Dkt. No. 16) is **ACCEPTED** and **ADOPTED** in its entirety; and it is further

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

Dated: August 24, 2010  
Syracuse, New York

  
Hon. Glenn T. Suddaby  
U.S. District Judge