

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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GORDON MICHAEL EWING,

Plaintiff,

v.

DECISION AND ORDER  
15-CV-236A

CAROLYN W. COLVIN,  
Acting Commissioner of Social Security,

Defendant.

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The above-referenced case was referred to Magistrate Judge Jeremiah J. McCarthy, pursuant to 28 U.S.C. § 636(b)(1)(B). On January 31, 2017, Magistrate Judge McCarthy filed a Report and Recommendation (Dkt. No. 16), recommending that this matter be remanded to the Acting Commissioner for further administrative proceedings. Judge McCarthy further recommended that the Acting Commissioner's motion for judgment on the pleadings (Dkt. No. 12) be denied.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge McCarthy's Report and Recommendation, this matter is remanded to the Acting Commissioner for further administrative proceedings, and the Acting Commissioner's motion for judgment on the pleadings is denied.

The Clerk of Court shall take all steps necessary to close the case.

IT IS SO ORDERED.

*Richard J. Arcara*

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HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT COURT

Dated: February 23, 2017