IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:24-cv-00080-MR-SCR

CHAD NELSON,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	**O R D E R**
	)	
LELAND DUDEK, Acting Commissioner of Social Security,	)	
	)	
Defendant.	)	
	)	

THIS MATTER is before the Court on the Plaintiff's Motion for Summary Judgment on the Pleadings with Brief in Support of Remanding the Case to the Commissioner [Doc. 11]; the Commissioner's Brief [Doc. 15]; and the Magistrate Judge's Memorandum and Recommendation [Doc. 17] regarding the disposition of those motions.

Pursuant to 28 U.S.C. § 636(b) and a specific Order of referral of the District Court, the Honorable Susan C. Rodriguez, United States Magistrate Judge, was designated to consider the pending motions in the above-captioned action and to submit to this Court a recommendation for the disposition of these motions.

On January 21, 2025, the Magistrate Judge filed a Memorandum and Recommendation [Doc. 17] in this case containing proposed findings of fact and conclusions of law in support of a recommendation regarding the disposition of this matter. The parties were advised that any objections to the Magistrate Judge's Memorandum and Recommendation were to be filed in writing within fourteen (14) days of service. The period within which to file objections has expired, and no written objections to the Memorandum and Recommendation have been filed.

After a careful review of the Magistrate Judge's Memorandum and Recommendation [Doc. 17], the Court finds that the proposed findings of fact are correct and that the proposed conclusions of law are consistent with current case law. Accordingly, the Court hereby accepts the Magistrate Judge's recommendation that the Plaintiff's Motion for Summary Judgment should be granted and this case should be remanded for further proceedings.

IT IS, THEREFORE, ORDERED that the Memorandum and Recommendation [Doc. 15] is **ACCEPTED**, and the Plaintiff's Motion for Summary Judgment on the Pleadings with Brief in Support of Remanding the Case to the Commissioner [Doc. 11] is **GRANTED.**

IT IS FURTHER ORDERED that, pursuant to the power of this Court to enter a judgment affirming, modifying or reversing the decision of the Commissioner under Sentence Four of 42 U.S.C. § 405(g), the decision of the Commissioner is **REVERSED**, and this case is hereby **REMANDED** to the Commissioner for further administrative action consistent with this Order.

A judgment shall be entered simultaneously herewith.

IT IS SO ORDERED.

Signed: March 4, 2025

Martin Reidinger
Chief United States District Judge