

**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA**

**KELLY LEE WYNN,**

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)

**Plaintiff,**

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)

**v.**

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**Case No. 14-CV-0436-CVE-TLW**

)

**CAROLYN W. COVLIN,**

)

**Acting Commissioner, Social**

)

**Security Administration**

)

)

)

**Defendant.**

)

**OPINION AND ORDER**

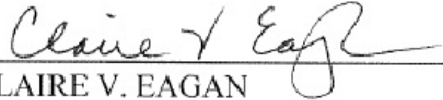
This matter comes on for consideration of the Report and Recommendation (Dkt. # 21) of Magistrate Judge T. Lane Wilson recommending that the Commissioner’s decision to deny plaintiff’s claims for disability benefits be reversed and remanded in part and that the Court enter a finding of no reversible error in part. The magistrate judge recommended that the case be reversed and remanded for further consideration of medical source evidence regarding plaintiff’s mental impairments and that the Court enter a finding of no reversible error regarding the ALJ’s residual functional capacity (RFC) findings related to plaintiff’s physical limitations.

Plaintiff has not objected to the magistrate judge’s report and recommendation and the time to do so has expired. Defendant filed a Notice of No Objection to the Report and Recommendation of the Magistrate Judge (Dkt. # 22) stating that defendant would not file an objection to the report and recommendation, but would instead rest upon its response brief, which the magistrate judge duly considered before he issued the report and recommendation. Upon de novo review and

consideration of defendant's arguments in its response brief, the Court concludes the magistrate judge's report and recommendation should be accepted.

**IT IS THEREFORE ORDERED** that the Report and Recommendation (Dkt. # 21) is **accepted**. The Commissioner's decision to deny plaintiff's claim for disability benefits is **reversed and remanded** for further consideration of medical source evidence regarding plaintiff's mental impairments. A **finding of no reversible error** is entered as to the ALJ's findings regarding his formulation of plaintiff's RFC as it relates to his physical limitations. A separate judgment is entered herewith.

**DATED** this 2nd day of November, 2015.

  
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CLAIRE V. EAGAN  
UNITED STATES DISTRICT JUDGE