

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SAMUEL MELENDEZ,

Plaintiff,

CIVIL ACTION

v.

**MICHAEL J. ASTRUE, Commissioner of
the Social Security Administration
Defendant.**

NO. 12-4773

ORDER

AND NOW, this 17th day of July, 2013, upon consideration of the Complaint and Request for Review filed by plaintiff, Samuel Melendez, and the record in this case, and the Report and Recommendation of Chief United States Magistrate Judge Carol Sandra Moore Wells dated June 24, 2013, no objections having been filed, **IT IS ORDERED** as follows:

1. The Report and Recommendation of Chief United States Magistrate Judge Carol Sandra Moore Wells dated June 24, 2013, is **APPROVED** and **ADOPTED**;

2. Plaintiff's Request for Review and the relief requested in the Complaint are **GRANTED** to the extent that plaintiff seeks a remand to the Commissioner of the Social Security Administration and **DENIED** in all other respects;

3. The case is **REMANDED** to the Commissioner of the Social Security Administration in accordance with the fourth sentence of 42 U.S.C. § 405(g) for further proceedings consistent with the Report and Recommendation of Chief United States Magistrate Judge Carol Sandra Moore Wells dated June 24, 2013.

BY THE COURT:

s/ Jan E. DuBois
DuBOIS, JAN E., J.