

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

MARIAMA ELIJAH, : CIVIL ACTION
 : NO. 13-5509
Plaintiff, :
 :
v. :
 :
CAROLYN W. COLVIN, :
Acting Commissioner of the :
Social Security Administration, :
 :
Defendant. :

O R D E R

AND NOW, this **22nd** day of **May, 2014**, upon careful and independent consideration of the parties' briefs (ECF Nos. 10, 13, 14) and the Report and Recommendation of U.S. Magistrate Judge Jacob P. Hart (ECF No. 16), it is hereby **ORDERED** as follows:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;¹
2. Plaintiff's Request for Review is **GRANTED in part** and **DENIED in part**, as outlined in the Report and Recommendation; and
3. The matter is **REMANDED** to the Commissioner of Social Security, pursuant to sentence four of 42 U.S.C. § 405(g), for consideration of Plaintiff's mental illness as a severe impairment, and for the posing of a hypothetical question to a vocational expert

¹ The Court undertakes a de novo review of the portions of the Report and Recommendation to which a party has objected. See 28 U.S.C. § 636(b)(1); Cont'l Cas. Co. v. Dominick D'Andrea, Inc., 150 F.3d 245, 250 (3d Cir. 1998). The Court "may accept, reject or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). In this instance, neither party submitted objections to Magistrate Judge Hart's Report and Recommendation.

that includes Plaintiff's mental limitations.

The Clerk of Court shall mark this case **CLOSED**.

AND IT IS SO ORDERED.

/s/ Eduardo C. Robreno
EDUARDO C. ROBRENO, J.