MOHAMMED v. COLVIN Doc. 17

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

| | |
|---|---|
| HADIL MOHAMMED o/b/o MINOR T.T., Plaintiff<br><br>v.<br><br>NANCY A. BERRYHILL,[1] ACTING COMMISSIONER OF SOCIAL SECURITY, Defendant | CIVIL ACTION<br><br>NO. 16-4955 |

**ORDER**

AND NOW, this 26th ~~day~~ of February ~~, 2019~~, upon consideration of Plaintiff's Brief and Statement of Issues in Support of Request for Review (Dkt. No. 9) filed December 30, 2016; upon consideration of Defendant's Response to Request for Review of Plaintiff (Dkt. No. 10) filed January 30, 2017; upon consideration of Plaintiff's Reply to Defendant's Response (Dkt. No. 13) filed February 6, 2017; and after review of the Report and Recommendation of United States Magistrate Judge Henry S. Perkin dated January 31, 2019, IT IS ORDERED that:

1. the Report and Recommendation is APPROVED and ADOPTED;
2. the relief sought by Plaintiff is GRANTED in part as described below;
3. the case is REMANDED to the Commissioner pursuant to the forth sentence of 42 U.S.C. § 405(g), and in accordance with the Report and Recommendation; and
4. in all other respects, Plaintiff's request for relief is DENIED.

BY THE COURT:

JUAN R. SANCHEZ, C.J.

[1] On January 23, 2017, Nancy A. Berryhill became the Acting Commissioner of the Social Security Administration and, therefore, she should be automatically substituted as the Defendant in this action See Fed. R. Civ. P. 25(d)

Dockets.Justia.com