

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

<b>TRINA NOEL SHEMELLA,</b>	:	<b>CIVIL ACTION</b>
<b>Plaintiff,</b>	:	
v.	:	
	:	
<b>CAROLYN W. COLVIN,<sup>1</sup></b>	:	<b>NO. 12-3611</b>
<b>Defendant</b>	:	

**ORDER**

**AND NOW**, this 15<sup>th</sup> day of August, 2013, upon independent review of the brief in support of review filed by Plaintiff (Docket No. 8), Defendant's response thereto (Docket No. 10), and Plaintiff's reply (Docket No. 11), and the administrative record, and after careful consideration of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, it is hereby **ORDERED** that:

1. The Report and Recommendation are **APPROVED and ADOPTED**;
2. The final decision of the Commissioner denying disability benefits to Plaintiff is **VACATED**;
3. The matter is **REMANDED** to the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g) for further proceedings consistent with the Magistrate Judge's Report; and
4. The Clerk of the Court shall mark this case **CLOSED** for all purposes, including statistics.

BY THE COURT:

S/Gene E.K. Pratter  
GENE E.K. PRATTER  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, she is substituted for Michael J. Astrue as the defendant in this case. No further action need be taken to continue this suit by reason of the last sentence of § 205(g) of the Social Security Act, 42 U.S.C. § 405(g).