

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

<b>HOWARD BURNS</b>	:	<b>CIVIL ACTION NO. 1:14-cv-1925</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Kane)</b>
	:	<b>(Magistrate Judge Cohn)</b>
<b>v.</b>	:	
	:	
<b>CAROLYN W. COLVIN,</b> <b>Commissioner of</b> <b>Social Security</b>	:	
	:	
<b>Defendant</b>	:	

**ORDER**

Before the Court in the above captioned action is a December 30, 2015 Report and Recommendation of the Magistrate Judge. The Defendant waived the opportunity to file objections (Doc. No. 17). **ACCORDINGLY**, this 13<sup>th</sup> day of January 2016, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The Court adopts the Report and Recommendation (Doc. No. 16) of Magistrate Judge Cohn.
- 2) The decision of the Commissioner of Social Security denying Plaintiff's benefits under the Act is **VACATED** and the case is **REMANDED** to the Commissioner of Social Security to develop the record fully, conduct a new administrative hearing and appropriately evaluate the evidence.
- 3) The Clerk of Court shall **CLOSE** the case.

s/ Yvette Kane \_\_\_\_\_  
YVETTE KANE, District Judge  
United States District Court