

RECEIVED
USDC CLERK, CHARLESTON, SC
2017 JAN 23 AM 8:59

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Theresa Marie Bouchillon,)
)
 Plaintiff,)
)
 vs.)
)
 Carolyn W. Colvin, Acting Commissioner)
 of Social Security,)
)
 Defendant.)
)
 _____)

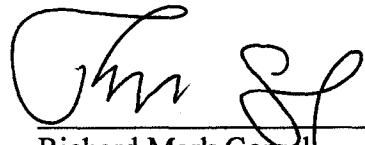
Civil Action No. 9:16-192-RMG

ORDER

This matter comes before the Court for judicial review of the final decision of the Commissioner of Social Security denying Plaintiff's application for Disability Insurance Benefits ("DIB"). In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to the United States Magistrate Judge for pretrial handling. The Magistrate Judge issued a Report and Recommendation on January 6, 2017, recommending that the decision of the Commissioner be reversed and remanded to the agency because of the failure of the Administrative Law Judge to determine whether Plaintiff's somatoform disorder was a severe impairment and to consider Plaintiff's somatoform disorder in combination to the claimant's other documented impairments. (Dkt. No. 17). The Commissioner has filed a response to the Magistrate Judge's Report and Recommendation indicating that she will file no objections. (Dkt. No. 19). The Court has reviewed the Report and Recommendation and the record evidence and finds that the Magistrate Judge has ably addressed the factual and legal issues in this matter. Therefore, the Court **ADOPTS** the Report and Recommendation as the order of this Court,

REVERSES the decision of the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g), and **REMANDS** the matter to the Commissioner for further proceedings consistent with this order. In light of the protracted nature of the administrative and judicial proceedings in this matter, dating from February 2009, the Commissioner is directed to conduct an administrative hearing before an Administrative Law Judge (ALJ) within 60 days of this order, and a decision by the ALJ shall be issued within 30 days of the completion of the administrative hearing. Further, a final agency decision shall be issued within 30 days of the ALJ's decision in this matter.

AND IT IS SO ORDERED.



Richard Mark Gergel
United States District Judge

Charleston, South Carolina
January 23, 2017