IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Teresa Seymore, Plaintiff, vs. Nancy A. Berryhill, Acting Commissioner of Social Security, Defendant.	)	Civil Action No. 9:16-660-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 (R & R) on March 9, 2017, recommending that the decision of the Commissioner be reversed and remanded to the agency because the Administrative Law Judge failed to evaluate the opinions of Plaintiff's two treating physicians, Dr. Waggoner and Dr. Peskoe, in accord with the provisions of the Treating Physician Rule, 20 C.F.R. § 404.1527(c). (Dkt. No. 18). The Commissioner has advised the Court that she does not intend to file objections to the R & R. (Dkt. No. 19).

The Court has reviewed the R & R 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.

AND IT IS SO ORDERED.

Richard Mark Gergel
United States District Judge

Charleston, South Carolina
April 7, 2017