



Accordingly, the court **ACCEPTS IN WHOLE** the magistrate judge's report and recommendation under 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). It is **ORDERED**, for the reasons stated in the report and recommendation, which the Court adopts and incorporates into its ruling, that the Plaintiff's Motion for Summary Judgment [Doc. 12] is **GRANTED IN PART** and **DENIED IN PART**; that the Commissioner's Motion for Summary Judgment [Doc. 16] is **GRANTED IN PART** and **DENIED IN PART**; and that this case is **REMANDED** to the Commissioner for reconsideration.

**IT IS SO ORDERED.**

**ENTER:**

s/ Thomas W. Phillips  
United States District Judge