

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

TIFFANY N. POTTER,)	
)	
Plaintiff,)	
)	
v.)	No.: 3:14-CV-333-TAV-HBG
)	
CAROLYN W. COLVIN,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

This matter is before the Court on the Report and Recommendation (the “R&R”) entered by United States Magistrate Judge H. Bruce Guyton on June 23, 2015 [Doc. 18]. In the R&R, Magistrate Judge Guyton recommended that plaintiff’s Motion for Summary Judgment [Doc. 14] be granted in part and denied in part and that defendant’s Motion for Summary Judgment [Doc. 16] be denied in part. Further, Magistrate Judge Guyton recommended that this case be remanded to the Commissioner for further proceedings consistent with the R&R. There have been no timely objections to the R&R, and enough time has passed since the filing of the R&R to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

After a careful review of the matter, the Court is in agreement with Magistrate Judge Guyton’s recommendations, which the Court adopts and incorporates into its ruling. Accordingly, the Court **ACCEPTS IN WHOLE** the R&R [Doc. 18]. Plaintiff’s Motion for Summary Judgment [Doc. 14] is **GRANTED in part and DENIED in part**,

and defendant's Motion for Summary Judgment [Doc. 16] is **GRANTED in part and DENIED in part**. This case is hereby **REMANDED** to the Commissioner for further proceedings consistent with the R&R. On remand:

- The ALJ shall reassess plaintiff's RFC based on a consideration of the medical evidence as a whole, specifically considering the entirety of Dr. Kanagasegar's treatment records and the opinions of plaintiff's non-treating and non-examining physicians;
- In reassessing plaintiff's RFC, the ALJ shall consider the transcript as a whole, including the medical records of Dr. Choo and University Rheumatology Associates; and
- Once the ALJ has reassessed plaintiff's RFC based on a consideration of the record as a whole, he shall reconsider all subsequent and pertinent steps of the disability analysis based on plaintiff's reassessed RFC.

IT IS SO ORDERED.

s/ Thomas A. Varlan
CHIEF UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT

s/ Debra C. Poplin
CLERK OF COURT