

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

RHONDA J. KOHLES

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V.

CASE NO. 4:09-CV-00423-RAS-DDB

COMMISSIONER OF SOCIAL  
SECURITY ADMINISTRATION

**MEMORANDUM ADOPTING REPORT AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On August 5, 2011, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that the decision of the Administrative Law Judge be **AFFIRMED** as to issues one, three, and four and **REMANDED** as to issue two concerning whether the ALJ properly developed the record regarding Plaintiff’s mental impairments.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the court. It is, therefore, **ORDERED** that the decision of the Administrative Law Judge is **AFFIRMED** as to issues one, three, and four and **REMANDED** as to issue two concerning whether the ALJ properly developed the record regarding Plaintiff’s mental impairments.

**IT IS SO ORDERED.**

**SIGNED this the 29th day of September, 2011.**



RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE