

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

**AMANDA ROBERTS**

v.

**COMMISSIONER  
OF SOCIAL SECURITY**

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§

**CIVIL ACTION NO. 5:17CV45- RWS-CMC**

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

The above-entitled and numbered civil action was referred to United States Magistrate Judge Caroline M. Craven pursuant to 28 U.S.C. § 636. The Report of the Magistrate Judge, which contains her proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. No objections to the Report and Recommendation were filed. The Court agrees with the Magistrate Judge's conclusion that the ALJ's failure to proffer Dr. Taba's post-hearing consultative examiner's report and medical source statement and to offer Plaintiff the opportunity to cross-examine Dr. Taba resulted in prejudicial error.

Having reviewed the record and finding no plain error in the findings of facts and conclusions of law of the Magistrate Judge, the Court hereby **ADOPTS** the Report and Recommendation of the Magistrate Judge (Docket No. 13) as the findings and conclusions of this Court. Accordingly, it is

**ORDERED** that Plaintiff's above-entitled Social Security action is hereby **REVERSED AND REMANDED**. It is further

**ORDERED** that all motions not previously ruled on are **DENIED**, and the referral order is **VACATED**.

**SIGNED this 5th day of March, 2018.**

*Robert W. Schroeder III*  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE