

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

BEVERLY DAFNEY,

Plaintiff,

v.

NANCY A. BERRYHILL, ACTING
COMMISSIONER OF SSA;

Defendant.

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CIVIL ACTION NO. 5:17-CV-00106-RWS

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

The above-entitled and numbered civil action was heretofore 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. Thus, any aggrieved party is barred from *de novo* review by the district court of the proposed findings and recommendations of the Magistrate Judge. Fed. R. Civ. P. 72.

The Court has received and considered the Report and Recommendation along with the record and pleadings. The Court agrees with the Magistrate Judge’s conclusion that the case be remanded for further assessment of Plaintiff’s residual functional capacity in light of new evidence and Plaintiff’s vocational profile given the alleged conditions. Accordingly, finding no plain error in the findings of fact and conclusions of law of the Magistrate Judge, this Court adopts the Magistrate Judge’s findings and conclusions as those of the Court.

Accordingly, it is hereby

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 that the referral
order is **VACATED**.

SIGNED this 6th day of September, 2018.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE