

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

RONALD DAVID SUTHERLAND

§

V.

§

§ CIVIL ACTION NO. 4:12-CV-206-Y

CAROLYN W. COLVIN, ACTING  
COMMISSIONER OF SOCIAL SECURITY

§

§

§

ORDER ADOPTING MAGISTRATE JUDGE'S  
FINDINGS, CONCLUSIONS, AND RECOMMENDATION

On September 4, 2013, the United States magistrate judge issued his findings, conclusions, and recommendation ("the findings") in this case. In the findings, the magistrate judge recommended that the Court reverse and remand, in part, the decision of the commissioner of the Social Security Administration denying Plaintiff's claims for disability insurance benefits under Title II and supplemental social security income under Title XVI of the Social Security Act. An order issued that same day gave all parties until September 18 to serve and file with the Court written objections to the findings. Plaintiff filed timely objections. In his objections, he contends that he should have prevailed on his challenges to the RFC determination and to the hypothetical posed to the vocational expert given that the magistrate judge has recommended reversal of the commissioner's determination that Plaintiff's impairments did not meet a listed impairment. The commissioner did not file a response.

After review, the Court concludes that the findings should be, and are hereby, ADOPTED as the findings and conclusions of this Court for the reasons stated therein. Accordingly, the commissioner's

decision is REVERSED and REMANDED, in part, for further administrative proceedings consistent with the findings.

SIGNED September 27, 2013.

  
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TERRY R. MEANS  
UNITED STATES DISTRICT JUDGE