

United States District Court
Southern District of Texas

ENTERED

August 01, 2018

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

FRANCISCA EULALIA RAMIREZ

§

Plaintiff.

§

§

VS.

§

CIVIL ACTION NO. 3:17-CV-00336

§

§

NANCY A. BERRYHILL, ACTING
COMMISSIONER OF THE SOCIAL
SECURITY ADMINISTRATION

§

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§

§

Defendant.

§

**ORDER ADOPTING MAGISTRATE JUDGE'S
MEMORANDUM AND RECOMMENDATION**

On February 22, 2018, this case was referred to United States Magistrate Judge Andrew M. Edison. Dkt. 6. On July 17, 2018, Judge Edison filed a Memorandum and Recommendation (Dkt. 18) recommending that Ramirez's Motion for Summary Judgment (Dkt. 8) be GRANTED, Commissioner's Motion for Summary Judgment (Dkt. 16) be DENIED, the decision of the Commissioner be REVERSED, and the case be REMANDED for reconsideration in accordance with this opinion and applicable law.

No objections have been filed to the Memorandum and Recommendation. Accordingly, the Court reviews the Memorandum and Recommendation for plain error on the face of the record. 28 U.S.C. § 636(b)(1); *see also*, FED. R. CIV. P. 72(b)(3).

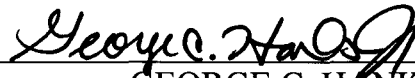
Based on the pleadings, the record, and the applicable law, the Court finds that there is no plain error apparent from the face of the record. Accordingly, it is hereby

ORDERED AND ADJUDGED that:

- (1) Judge Edison's Memorandum and Recommendation is **APPROVED AND ADOPTED** in its entirety as the holding of the Court;
- (2) Ramirez's Motion for Summary Judgment (Dkt. 8) is **GRANTED**;
- (3) Commissioner's Motion for Summary Judgment (Dkt. 16) is **DENIED**;
- (4) The decision of the Commissioner is **REVERSED**; and
- (5) The case is **REMANDED** for reconsideration in accordance with this opinion and applicable law.

It is so **ORDERED**.

SIGNED and ENTERED this 1st day of August, 2018.



GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE