

United States District Court  
Southern District of Texas

**ENTERED**

September 01, 2016

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

JASON BALTASAR FRANCO,

*Plaintiff,*

v.

CAROLYN W. COLVIN,  
*Acting Commissioner of the Social  
Security Administration,*

*Defendant.*


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CIVIL ACTION H-15-2443

**ORDER**

Pending before the court is the Magistrate Judge’s Memorandum and Recommendation (“M&R”), recommending that plaintiff’s motion for summary judgment (Dkt. 9) be GRANTED, defendant’s cross-motion for summary judgment (Dkt. 10) be DENIED, and the case be REMANDED to the Commissioner of the Social Security Administration for further consideration in light of the M&R. Dkt. 11. The M&R advises that any parties wishing to object to the M&R must do so by August 26, 2016. *Id.* at 57. The court has received no objections. The court, having reviewed the M&R, relevant documents in the record, and the applicable law, having received no objections, and finding no error, ADOPTS the M&R in its entirety. For the reasons stated in the M&R, plaintiff’s motion for summary judgment (Dkt. 9) is GRANTED, defendant’s cross-motion for summary judgment (Dkt. 10) is DENIED, and this case is REMANDED to the Commissioner for further consideration in light of the M&R. A final judgment will issue consistent with this order.

Signed at Houston, Texas on September 1, 2016.

  
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Gray H. Miller  
United States District Judge