
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, NORTHERN DIVISION

AURELIA GUARDADO,

Plaintiff,

vs.

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

Defendant.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Case No. 1:12-cv-199 CW-PMW

District Judge Clark Waddoups

Magistrate Judge Paul M. Warner

This case was assigned to United States District Court Judge Clark Waddoups, who then referred it to United States Magistrate Paul M. Warner under 28 U.S.C. § 636(b)(1)(B). Plaintiff Martha A. Rodriguez appeals the Commissioner's final decision denying Ms. Rodriguez's claim for Supplemental Security Income ("SSI"). On October 11, 2013, Judge Warner issued a Report and Recommendation, recommending that the Commissioner's decision be reversed and remanded due to an error in the determination.

The Commissioner was granted until October 25, 2013 to file an objection to the report. That deadline was stayed until Congress restored the lapse in appropriations for the Department of Justice and the Social Security Administration. Order, 1 (Dkt. No. 23). It was further ordered that all deadlines were "extended commensurate with the duration of the lapse of appropriations." *Id.* On November 5, 2013, the court lifted the stay. Consequently, the Commissioner had until November 15, 2013 to file an objection. As of this date, no objection has been filed.

Having reviewed the record, the court hereby APPROVES and ADOPTS Judge Warner's Report and Recommendation in its entirety.¹ Accordingly, the Commissioner's decision in this case is REVERSED and REMANDED for additional proceedings in accordance with Judge Warner's report.

SO ORDERED this 8th day of January, 2014.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "Clark Waddoups", is written over a horizontal line.

Clark Waddoups
United States District Judge

¹ Dkt. No. 21.