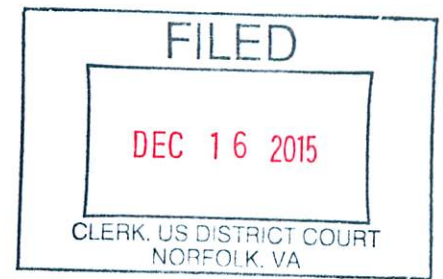


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division



CORRY D. SEARLES,

Plaintiff,

v.

ACTION NO. 2:14cv474

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

Defendant.

REMAND ORDER


Plaintiff brought this action under 42 U.S.C. § 405(g) seeking judicial review of the final decision of the Acting Commissioner of the Social Security Administration ("Commissioner") denying plaintiff's claim for a period of disability and disability insurance benefits ("DIB") under Title II of the Social Security Act, as well as his claim for supplemental security income ("SSI"), under Title XVI of the Social Security Act.

On January 5, 2015, this matter was referred to a United States Magistrate Judge, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72(b) of the Federal Rule of Civil Procedure for report and recommendation. Report of the magistrate judge was filed on November 25, 2015, recommending plaintiff's Motion for Summary Judgment be granted; defendant's Motion for Summary

Judgment be denied; and that the final decision of the Acting Commissioner be vacated and remanded. By copy of the report, each party was advised of the right to file written objections to the findings and recommendations made by the magistrate judge. The court has received no objections to the magistrate judge's report and recommendation, and the time for filing same has expired.

The court does hereby adopt and approve the findings and recommendations set forth in the report of the United States Magistrate Judge filed November 25, 2015. Accordingly, plaintiff's Motion for Summary Judgment is **GRANTED**; the defendant's Motion for Summary Judgment is **DENIED**; and the final decision of the Acting Commissioner is **VACATED** and this matter is hereby **REMANDED** to the Acting Commissioner for further proceedings consistent with the Magistrate's Report and Recommendation filed November 25, 2015.

The Clerk shall forward a copy of this Remand Order to plaintiff and to counsel for defendant.

/s/
Rebecca Beach Smith
Chief Judge 

REBECCA BEACH SMITH
CHIEF JUDGE

December 16, 2015