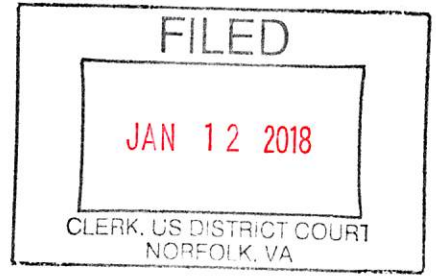


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION



S.T.,
by his next friend SHONTE L. TAYLOR,

Plaintiff,

v.

CIVIL NO. 2:16-cv-717

NANCY A. BERRYHILL,
*Acting Commissioner of the
Social Security Administration,*

Defendant.¹

FINAL ORDER

Shonte L. Taylor (“Plaintiff”), proceeding pro se, brought this action on behalf of her minor son, S.T., pursuant to 42 U.S.C. §§ 405(g) and 1383(c)(3), seeking judicial review of the decision of the Acting Commissioner (“Commissioner”) of the Social Security Administration denying Plaintiff’s application for supplemental security income (“SSI”) under Title XVI of the Social Security Act. Plaintiff claims that her son, S.T., became disabled on June 1, 2012, due to attention deficit hyperactivity disorder and oppositional defiant disorder.

This matter was referred to a United States Magistrate Judge for a report and recommendation pursuant to provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Rule 72(b) of the Federal Rules of Civil Procedure as well as Rule 72 of the Local Rules of this Court. The Report and Recommendation of the Magistrate Judge was filed on December 21, 2017, which recommends that the Court grant, in part, and deny, in part, Plaintiff’s Motion for Summary

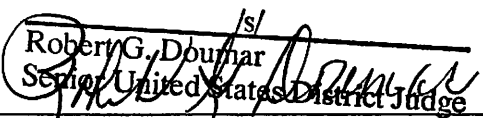
¹ Nancy A. Berryhill became the Acting Commissioner of the Social Security Administration on January 23, 2017, after the commencement of this lawsuit. Therefore, Nancy A. Berryhill (hereinafter, “Commissioner”) has been substituted for Carolyn W. Colvin as defendant in this case.

Judgment (ECF No. 15); deny the Commissioner's Motion for Summary Judgment (ECF No. 18); vacate the final decision of the Commissioner; and remand the case to the Commissioner for further proceedings. ECF No. 26. By copy of such report, each party was advised of the right to file written objections to the findings and recommendations made by the Magistrate Judge. *Id.* at 37. To date, the Court has received no objections to the Magistrate Judge's Report and Recommendation, and the time for filing same has expired.

Therefore, the Court hereby **ADOPTS** the findings and recommendations of the Magistrate Judge as set forth in the Report and Recommendation filed on December 21, 2017. ECF No. 26. Accordingly, the Court **GRANTS** in part and **DENIES** in part Plaintiff's Motion for Summary Judgment (ECF No. 15); **DENIES** the Commissioner's Motion for Summary Judgment (ECF No. 18); **VACATES** the final decision of the Commissioner; and **REMANDS** this case to the Commissioner for further proceedings consistent with the Magistrate Judge's Report and Recommendation (ECF No. 26).

The Clerk is **DIRECTED** to forward a copy of this Final Order to all Counsel of Record.

IT IS SO ORDERED.


Robert G. Doumar /s/
Senior United States District Judge
UNITED STATES DISTRICT JUDGE

Norfolk, VA
January 12, 2018