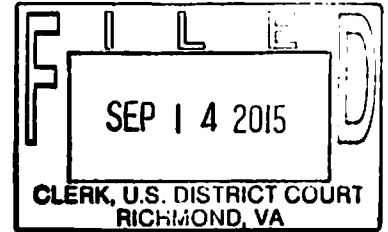


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



DONYELLE PLESHETTE
MORTON THOMPSON,

Plaintiff,

v.

Civil Action No. 3:14cv179

CAROLYN W. COLVIN,

Defendant.

ORDER

Having reviewed the SECOND REPORT AND RECOMMENDATION of the Magistrate Judge entered herein on August 19, 2015 (Docket No. 26), the DEFENDANT'S OBJECTIONS TO THE MAGISTRATE JUDGE'S SECOND REPORT AND RECOMMENDATION (Docket No. 27), the PLAINTIFF'S RESPONSE TO DEFENDANT'S OBJECTIONS TO THE MAGISTRATE JUDGE'S SECOND REPORT AND RECOMMENDATION (Docket No. 28), and having considered the record and the SECOND REPORT AND RECOMMENDATION and finding no error therein, it is hereby ORDERED that:

(1) The DEFENDANT'S OBJECTIONS TO THE MAGISTRATE JUDGE'S SECOND REPORT AND RECOMMENDATION (Docket No. 27) are overruled;

(2) The SECOND REPORT AND RECOMMENDATION of the Magistrate Judge (Docket No. 26) is adopted on the basis of the reasoning of the SECOND REPORT AND RECOMMENDATION;

(3) The plaintiff's MOTION FOR SUMMARY JUDGMENT (Docket No. 13) is granted;

(4) The DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (Docket No. 15) is denied; and

(5) The Commissioner's decision is vacated and remanded;

It is further ORDERED that the issues are adequately addressed by the briefs and oral argument would not materially aid the decisional process.

It is so ORDERED.

/s/ REP
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: September 14, 2015