IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA BIG STONE GAP DIVISION

DANIEL M. BURKE,)
Plaintiff,) Case No. 2:17CV00026
v.) ORDER
NANCY A. BERRYHILL, ACTING COMMISSIONER OF SOCIAL SECURITY,) By: James P. Jones) United States District Judge
Defendant.	,

It appearing that no objections have been timely filed to the Report filed March 20, 2019, setting forth the findings and recommendations of the magistrate judge, it is **ADJUDGED AND ORDERED** as follows:

- 1. The Report and its findings and recommendations are wholly ACCEPTED and APPROVED;
 - 2. The motions for summary judgment by the parties are DENIED;
- 3. The final decision of the Acting Commissioner of Social Security is VACATED and this action is REMANDED to the Acting Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further consideration in accord with the Report; and
 - 4. The clerk will close this case.

ENTER: April 30, 2019

/s/ James P. Jones
United States District Judge