

09/05/2018

JULIA C. DUDLEY, CLERK
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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

JOHN P., JR.,

Plaintiff,

v.

Acting Commissioner of Social Security,

Defendant.

CASE NO. 3:17-cv-00036

ORDER

Before the Court are cross Motions for Summary Judgment (dks. 14 & 17), and the Report & Recommendation of U.S. Magistrate Judge Joel C. Hoppe (dkt. 19, "R&R"). Under Standing Order 2011-17 and 28 U.S.C. § 636(b)(1)(B), I referred this matter to Judge Hoppe for a recommended disposition. After review of the record, and no objections having been filed to the R&R within fourteen days of service upon the parties, I will adopt the R&R. Accordingly:

1. The R&R of August 20, 2018, is hereby **ADOPTED** in its entirety;
2. Plaintiff's Motion for Summary Judgment is hereby **GRANTED**;
3. Defendant's Motion for Summary Judgment is hereby **DENIED**;
4. The Commissioner's final decision is hereby **REVERSED**;
5. The case is hereby **REMANDED** for further administrative proceedings under the fourth sentence of 42 U.S.C. 405(g). This case is stricken from the active docket, and the Clerk is directed to send a copy of this Order to counsel.

Entered this 5th day of September, 2018.

Norman K. Moon

NORMAN K. MOON
SENIOR UNITED STATES DISTRICT JUDGE