

CLERKS OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA
FILED

3/5/2018

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

AMY MARIE UPDIKE,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

CASE NO. 6:16-cv-00073

ORDER

Judge Norman K. Moon

This matter is before the Court on the parties' Motions for Summary Judgment, and the Report & Recommendation of United States Magistrate Judge Robert S. Ballou (hereinafter "Report"). Pursuant to Standing Order 2011-17 and 28 U.S.C. § 636(b)(1)(B), I referred this matter to Judge Ballou for proposed findings of fact and a recommended disposition.

After a review of the record in this case, and no objections having been filed to the Report within fourteen days of its service upon the parties, I will adopt the Report. Accordingly:

1. The Report is hereby **ADOPTED** in its entirety;
2. Defendant's Motion for Summary Judgment is hereby **DENIED**; Plaintiff's motion for summary judgment is **GRANTED in part**.

This case is hereby **REMANDED** to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g) for further consideration consistent with the adopted Report. The clerk is directed to close this case and strike it from the active docket of the Court. The Clerk of Court is directed to send a copy of this Order to counsel of record.

Entered this 5th day of March, 2018.


NORMAN K. MOON
SENIOR UNITED STATES DISTRICT JUDGE