

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

BOBBY WAYNE MOSS,

Plaintiff,

v.

Civil Action No. 15-13160

CAROLYN W. COLVIN,
Acting Commissioner of the
Social Security Administration,

Defendant.

MEMORANDUM OPINION AND ORDER

The court having received the Proposed Findings and Recommendation of United States Magistrate Judge Cheryl A. Eifert, entered on July 28, 2016; and the magistrate judge having recommended that the court grant plaintiff Bobby Wayne Moss's motion for judgment on the pleadings, to the extent that it requests remand of the Commissioner's decision, deny the Commissioner's request to affirm her decision, reverse the final decision of the Commissioner, and remand this matter pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings; and no objection having been filed to the Proposed Findings and Recommendation, it is ORDERED that:

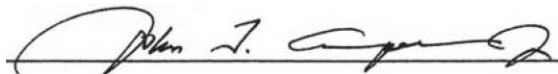
1. The Proposed Findings and Recommendation be, and they

hereby are, adopted by the court and incorporated herein;

2. Plaintiff Bobby Wayne Moss's motion for judgment on the pleadings, to the extent that it requests remand of the Commissioner's decision be, and it hereby is, granted;
3. The Commissioner's request to affirm her decision be, and it hereby is, denied; and
4. The decision of the Commissioner be, and it hereby is, reversed.

The Clerk is directed to forward copies of this written opinion and order to all counsel of record and any unrepresented parties.

DATED: August 17, 2016



John T. Copenhaver, Jr.
United States District Judge