

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

MICHAEL RAY SAMMONS

Plaintiff,

v.

CIVIL ACTION NO. 2:19-cv-00319

ANDREW SAUL,
Commissioner of Social Security,

Defendant.

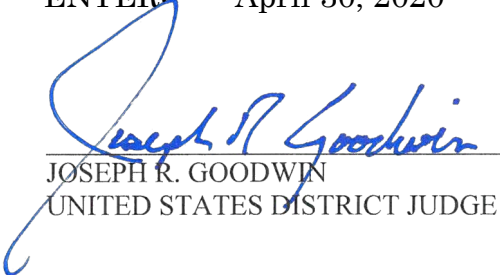
MEMORANDUM OPINION AND ORDER

This action was referred to United States Magistrate Judge Cheryl A. Eifert for submission to this court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). On March 31, 2020, Magistrate Judge Eifert submitted the Proposed Findings of Fact and Recommendation (“PF&R”), [ECF No. 16], recommending the court grant Plaintiff’s motion for judgment on the pleadings, to the extent that it requests remand, [ECF No. 13]; deny Defendant’s request to affirm the decision of the Commissioner, [ECF No. 14]; and dismiss this action from the docket. To date, no objections to Magistrate Judge Eifert’s PF&R have been filed, and the time period for the filing of objections has passed.

Accordingly, the court **ADOPTS** and **INCORPORATES** herein the PF&R. For the reasons stated, the court **GRANTS** Plaintiff’s motion for judgment on the

pleadings, to the extent that it requests remand, [ECF No. 13]; **DENIES** Defendant's request to affirm the decision of the Commissioner, [ECF No. 14]; and **DISMISSES** this action from the court's docket. The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: April 30, 2020



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE